

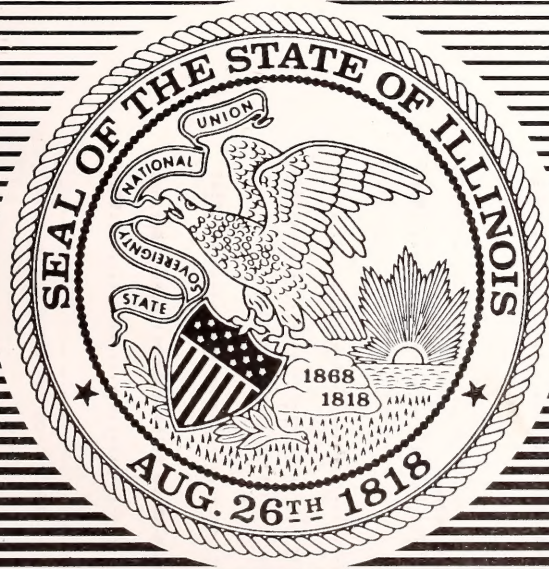
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2001

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REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



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Issue 16-April 14, 2000: Data Through March 31, 2000
Issue 29-July 14, 2000: Data Through June 30, 2000
Issue 42-October 13, 2000: Data Through September 30, 2000
Issue 3-January 19, 2001: Data Through December 31, 2000 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

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| Issue # | Copy Due by 4:30 p.m. | Publication Date | Issue # | Copy Due by 4:30 p.m. | Publication Date |
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| Issue 1 | December 26, 2000 | January 5, 2001 | Issue 28 | July 2 | July 13 |
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| Issue 26 | June 18 | June 29 | Issue 1 | December 26 (Wed. Noon) | January 4, 2002 |
| Issue 27 | June 25 | July 6 | | | |

* Tuesday 12 noon deadline following a state holiday.

** Monday publication date following a state holiday.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

1) Heading of the Part: Agrichemical Facility Response Action Program

2) Code Citation: 8 Ill. Adm. Code 259

3) Section Numbers:

259.110 New Section
 259.120 New Section
 259.130 New Section
 259.140 New Section
 259.150 New Section
 259.210 New Section
 259.220 New Section
 259.310 New Section
 259.320 New Section
 259.330 New Section
 259.340 New Section
 259.350 New Section
 259.410 New Section
 259.420 New Section
 259.430 New Section
 259.440 New Section
 259.450 New Section
 259.510 New Section
 259.520 New Section
 259.530 New Section
 259.540 New Section
 259.550 New Section
 APPENDIX A New Section
 APPENDIX B New Section
 APPENDIX C New Section
 APPENDIX D New Section

4) Statutory Authority: Section 19.3 of the Illinois Pesticide Act [415 ILCS 60/19.3].

5) A Complete Description of the Subjects and Issues Involved: Retail agrichemical facilities conducting remediation activities of soil or groundwater contamination from pesticides may request approval from the Department of Agriculture of the voluntary corrective action. The owner or operator of the facility can apply for Department review and approval for plans detailing the method of remediation. Upon successful cleanup of past pesticide contamination, the Department shall issue a notice of closure indicating that site specific cleanup objectives have been met and no further remedial action is required to remedy the pesticide contamination, pursuant to the Illinois Pesticide Act [415 ILCS 60/19.3].

6) Will this rulemaking replace any emergency rulemaking currently in effect?
 No

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? Yes

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day the notice of rulemaking appears in the *Illinois Register*. In addition to the written comment period, a public hearing on the proposed rules will be held on September 6, 2001 at 10:00 a.m., Department of Agriculture Building, 8th and Sangamon, State Fairgrounds, Room 66, Springfield, Illinois. Please mail written comments on the proposed rulemaking to the attention of:

Waren Goetsch
 Bureau of Environmental Programs
 Illinois Department of Agriculture
 State Fairgrounds, P.O. Box 19281
 Springfield, IL 62794-9281
 217/785-4233
 Facsimile: 217/785-4505

In order for mailed comments to be available for consideration at the public hearing, please mail no later than September 4, 2001.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Retail agrichemical facilities remediating past soil or groundwater contamination from pesticides could voluntarily participate in a program to oversee corrective action.

B) Reporting, bookkeeping or other procedures required for compliance: Applications for approval of corrective action plans are required.

C) Types of professional skills necessary for compliance: A professional engineer, licensed professional geologist or licensed industrial hygienist are required to conduct site assessments and prepare corrective action plans.

13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF AGRICULTURE
NOTICE OF PROPOSED RULES

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER i: PESTICIDE CONTROL

PART 259
AGRICHEMICAL FACILITY RESPONSE ACTION PROGRAM

SUBPART A: GENERAL

- Section
259.110 Purpose
259.120 Applicability
259.130 Severability
259.140 Definitions
259.150 Incorporation by Reference

SUBPART B: SOIL AND GROUNDWATER CLEANUP OBJECTIVES

- Section
259.210 Soil Cleanup Objectives
259.220 Groundwater Objectives

SUBPART C: SITE ASSESSMENTS

- Section
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259.330 Final Assessment
259.340 Detailed Assessment for Development of Site-Specific Soil Cleanup Objectives
259.350 Equations for Calculating Site-Specific Soil Cleanup Objectives

SUBPART D: Application for Review and Approval of Corrective Action Plans

- Section
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- Section
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259.530 Contents

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- 259.540 Duty to Record
259.550 Voidance

- APPENDIX A Remediation Suitability Determination Levels of Pesticides Listed as Hazardous Constituents in 35 Ill. Adm. Code 721
APPENDIX B Default Soil Cleanup Objectives
APPENDIX C Groundwater Cleanup Objectives (GW[obj])
APPENDIX D Pesticide Organic Carbon Partition Coefficients and Henry's Law Constants

AUTHORITY: Authorized by Section 19.3 of the Illinois Pesticide Act [415 ILCS 60/19.3].

SOURCE: Adopted at 25 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 259.110 Purpose

It is the policy of the State of Illinois that an Agrichemical Facility Response Action Program be implemented to reduce potential pesticide pollution and minimize environmental degradation risk potential at the sites [415 ILCS 60/19.3a].

The purposes of this Part are to:

- establish minimum default soil cleanup objectives for possible remediation of an agrichemical facility;
- establish procedures for developing appropriate site-specific soil cleanup objectives;
- provide general guidance on procedures for voluntary site assessments to assess the threat of groundwater contamination; and
- establish procedures for the review and approval of voluntary corrective action plans and issuance of a notice of closure upon successful completion of corrective actions.

Section 259.120 Applicability

a) This Part applies to the owner or operator of an agrichemical facility who voluntarily requests approval of corrective action plans to remediate past pesticide contamination.

- 1) An owner or operator, who elects to participate in the Agrichemical Facility Response Action Program, shall determine if soil or groundwater at an agrichemical facility contains pesticides at concentrations requiring cleanup pursuant to Subpart B of this Part.
- 2) An owner or operator, who elects to participate in the Agrichemical Facility Response Action Program, shall conduct a site assessment to identify any pesticide contamination of soil

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or groundwater and to develop sufficient information regarding the extent of any contamination to guide decisions about corrective actions pursuant to Subpart C of this Part.

3) If soil or groundwater at an agricultural facility contains pesticides at concentrations requiring cleanup pursuant to Subpart B of this Part, an owner or operator, who elects to participate in the Agricultural Facility Response Action Program, shall submit a corrective action plan for review by the Department and final approval by the Board pursuant to Subpart D of this Part.

b) Nothing in this Part limits the authority of the Illinois Environmental Protection Agency to provide notice under Section 58.9(b) or Section 4(q) of the Illinois Environmental Protection Act [415 ILCS 5/58.9(b) or 4(q)] or to undertake investigative, preventive or corrective action under any other applicable provisions of the Illinois Environmental Protection Act.

c) This Part does not apply to facilities at which the contaminated soils exhibit a characteristic of hazardous waste as defined in Sections 120 through 124 of 35 Ill. Adm. Code 721.

Section 259.130 Severability

If any Section, subsection, sentence or clause of this Part is judged invalid, such adjudication shall not affect the validity of this Part as a whole or any Section, subsection, sentence or clause thereof not judged invalid.

Section 259.140 Definitions

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of the words or terms in this Part shall be the same as that applied to the same words or terms in the Act.

"Act" means the Illinois Pesticide Act [415 ILCS 60].

"Agency" means the Illinois Environmental Protection Agency.

"Agricultural Facility" means a site where agricultural pesticides are stored or handled, or both, in preparation for end use. The term does not include basic manufacturing facility sites or central distribution sites utilized only for wholesale purposes [415 ILCS 60/19.3].

"Agricultural Facility Response Action Program" or "Program" means a voluntary environmental remediation program as set forth in Section 19.3 of the Act.

"Applicant" means an owner, operator or duly authorized agents of an agricultural facility submitting a request for approval of a corrective action plan.

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"Board" or "Agricultural Facility Response Action Program Board" means the board set forth in Section 19.3 of the Act.

"Class I groundwater" means potable resource groundwater as described in 35 Ill. Adm. Code 620.210.

"Class II groundwater" means general resource groundwater as described in 35 Ill. Adm. Code 620.220.

"Class III groundwater" means special resource groundwater as described in 35 Ill. Adm. Code 620.230.

"Department" means the Illinois Department of Agriculture.

"Detection" means the identification of any pesticide or pesticide residue in a sample at a value equal to or greater than the:

"Method Detection Limit" or "MDL" which means the minimum concentration of a substance that can be measured as reported with 99% percent confidence that the true value is greater than zero, pursuant to 40 CFR 136, Appendix B (1997); or

"Method Quantitation Limit" or "MQL" which means the minimum concentration of a substance that can be measured and reported pursuant to "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods, SW-846" or "Methods for the Determination of Organic Compounds in Drinking Water, Supplement III of 1995."

"Duly Authorized Agent" means a person who is authorized by written consent or by law to act on behalf of an owner or operator including, but not limited to: for corporations, a principle executive officer or at least the level of vice president; or for a sole proprietorship or partnership, the proprietor or a general partner.

"Groundwater" means groundwater as defined in the Illinois Groundwater Protection Act [415 ILCS 55/3].

"Groundwater Quality Standards" means the standards for groundwater, as set forth in 35 Ill. Adm. Code 620.

"Health Advisory Level" means a human threshold toxicant advisory concentration, as set forth in 35 Ill. Adm. Code 620, Subpart F.

"Licensed Professional Geologist" means a person who has a current license pursuant to the Professional Geologist Licensing Act of 1996 [225 ILCS 745].

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"Licensed Industrial Hygienist" means a person who has a current license pursuant to the Industrial Hygienists Licensing Act of 1993 [225 ILCS 52].

"Notice of Closure" means a written statement issued by the Department indicating that no further action is required to remedy the past pesticide contamination at an agrichemical facility.

"Operator" means the person responsible for the operation and maintenance of an agrichemical facility.

"Owner" means the person who holds legal interest, liability or claim to the real property of an agrichemical facility.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant [415 ILCS 60/4.29].

"Professional Engineer" means a person who has a current license pursuant to the Professional Engineering Practice Act of 1989 [225 ILCS 325].

"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of pesticides into the environment, but excludes application of pesticides at agronomic rates in accordance with regulations established by the Department in accordance with the Act.

"Remediation Suitability Determination Level" or "RSDL" means the concentration of a pesticide residue in soil that represents a level below which the Department considers the remediation media to be suitable for land application pursuant to 8 Ill. Adm. Code 258.

"Soil Cleanup Objective" or "SCO" means the concentration of any pesticide in soil below which there is a minimal risk that the pesticide will move from soil to groundwater and cause an exceedance of a Class I, Class II or Class III groundwater quality standard or a health advisory level.

"Target pesticides" means any pesticide that can reasonably be expected by persons conducting a site assessment to be present at an agrichemical facility on the basis of past and current storage or mixing and loading of the pesticide at the site.

Section 259.150 Incorporation by Reference

This Section incorporates the following material by reference. These

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

incorporations by reference do not include any amendments or editions beyond the dates specified.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. (703) 487-4600

"A Compendium of Superfund Field Operations Methods", EPA Publication No. EPA/540/0-87-001, OSWER Directive 9355.0-14 (December 1987)

"Methods for the Determination of Organic Compounds in Drinking Water, Supplement III", EPA Publication No. EPA/600/R-95/131 (August 1995).

"Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", EPA Publication No. SW-846 (Third Edition, April 1998), as amended by Updates I, IIA, III and IIIA.

"Soil Screening Guidance: Technical Background Document", EPA Publication No. EPA/540/R-95/128, PB96-963502 (May 1996).

"Soil Screening Guide: User's Guide", EPA Publication No. EPA/540/R-96/018, PB96-963505 (April 1996).

"Subsurface Characterization and Monitoring Techniques: A Desk Reference Guide, Volume I: Solids and Ground Water, Appendices A and B", EPA Publication No. EPA/625/R-93/003a (May 1993).

"Subsurface Characterization and Monitoring Techniques: A Desk Reference Guide, Volume II: The Vadose Zone, Field Screening and Analytical Methods, Appendices C and D", EPA Publication No. EPA/625/R-93/003b (May 1993).

SUBPART B: SOIL AND GROUNDWATER CLEANUP OBJECTIVES

Section 259.210 Soil Cleanup Objectives

An owner or operator of an agrichemical facility, who elects to participate in the Agrichemical Facility Response Action Program, shall use the criteria in this Subpart to determine if soil at an agrichemical facility contains pesticides at concentrations that represent a significant environmental risk that must be managed under hazardous waste regulations, has pesticide concentrations of moderate concern that may be managed under more flexible regulations, or has pesticide concentrations that are below regulatory concern.

a) If the pesticide concentrations in soil are equal to or greater than the remediation suitability determination levels in Appendix A of this Part, the soil is considered a high risk to cause an exceedance of a Class I or Class III groundwater quality standard or a health advisory level and is also considered to contain a hazardous constituent, subject to all applicable hazardous waste management requirements and restrictions [Title 35, Subtitle G, Chapter I, Subchapter c], and not suitable for land application pursuant to 8 Ill. Adm. Code 258.

b) Notwithstanding the requirements of subsection (a) of this Section, applicants may demonstrate that the contaminated soils may be safely land applied pursuant to 8 Ill. Adm. Code 258.150.

c) If the pesticide concentrations in soil are less than the remediation

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

suitability determination levels in Appendix A of this Part, but are equal to or greater than the default soil cleanup objectives in Appendix B of this Part, the soil is considered a moderate risk to cause an exceedence of a groundwater quality standard or a health advisory level, and a corrective action plan to remediate the past contamination may be submitted to the Department and the Board for review. The soil may be suitable for the land application treatment program pursuant to 8 Ill. Adm. Code 258.

d) If the pesticide concentrations in soil are less than the default soil cleanup objectives in Appendix B of this Part, the pesticide concentrations are considered below regulatory concern and the facility may apply for a notice of closure in accordance with Subpart E of this Part.

e) If the pesticide concentrations are less than the remediation suitability determination levels in Appendix A of this Part, but equal to or greater than the default soil cleanup objectives in Appendix B of this Part, the applicant may undertake a detailed site assessment as described in Section 259.340 of this Part to develop the information necessary to propose site-specific soil cleanup objectives, using the equations in Section 259.350 of this Part. All site-specific cleanup objectives are subject to Board approval.

f) Pesticide concentrations in soils proposed to remain in place at the conclusion of corrective actions may not exceed the default soil cleanup objectives in Appendix B of this Part, unless appropriate engineering barriers, in conjunction with necessary institutional controls, are approved as part of a corrective action plan.

g) If soil samples at a facility contain pesticides for which default soil cleanup objectives are not listed in Appendix B of this Part, the applicant should consult with the Department to develop an appropriate SCO.

Section 259.220 Groundwater Cleanup Objectives

a) The groundwater cleanup objectives for Class I and Class II groundwater are listed in Appendix C of this Part.

b) The applicant may use the Class II groundwater cleanup objectives in Appendix C of this Part to calculate a site-specific SCO using the equations in Section 259.350 of this Part, if adequately demonstrated during an initial site assessment, final assessment or a detailed site assessment that the uppermost 15 feet of groundwater underlying the contaminated area is classified as Class II groundwater. If this cannot be demonstrated, the Class I groundwater objective must be used.

c) If groundwater samples from a facility contain pesticides for which groundwater cleanup objectives are not listed in Appendix C of this Part, the applicant should contact the Department for a determination of the groundwater objective.

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NOTICE OF PROPOSED RULES

SUBPART C: SITE ASSESSMENT

Section 259.310 General

An owner or operator, who elects to participate in the Agrichemical Facility Response Action Program, shall conduct site assessments pursuant to this Subpart. The purposes of the site assessment are to identify any pesticide contamination of soil or groundwater and to develop sufficient information regarding the extent of any contamination to guide decisions about corrective actions. The findings, opinions and conclusions of the site assessment must be supported by adequate documentation. All site assessment activities must be conducted by or under the supervision of a licensed professional geologist, professional engineer or licensed industrial hygienist. An applicant may request the Department's assistance in investigating suspected site contamination.

a) The results of the initial assessment pursuant to Section 259.320 of this Part and plans to conduct sampling and analyses must be submitted to the Department and the Board for review. The results of the final site assessment pursuant to Section 259.330 of this Part must also be submitted. Both phases may be conducted and the combined results submitted for review. Based on the results of the initial site assessment, the Department may recommend the addition or deletion of compounds from the list of target pesticides and recommend collection and analyses of groundwater samples.

b) All field and laboratory activities must satisfy the following to ensure that all data are scientifically valid and of known precision and accuracy:

1) All field sampling activities relative to sample collection, documentation, preparation, labeling, storage, shipment and security, quality assurance and quality control, acceptance criteria, corrective action, and decontamination procedures must be conducted in accordance with "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846), Vol. One, Ch. One (Quality Control) and Vol. Two (Field Manual), incorporated by reference at Section 259.150 of this Part. If approved by the Department, such activities also may be conducted in accordance with ASTM standards, methods identified in "A Compendium of Superfund Field Operations Methods" (EPA/540/0-87-001, OSWER Directive 9355.0-14, December 1987), "Subsurface Characterization and Monitoring Techniques: A Desk Reference Guide, Volume I: Solids and Ground Water, Appendices A and B" (EPA/625/R-93/003a, May 1993), "Subsurface Characterization and Monitoring Techniques: A Desk Reference Guide, Volume II: The Vadose Zone, Field Screening and Analytical Methods, Appendices C and D" (EPA/625/R-93/003b, May 1993), or other procedures.

2) All field measurement activities relative to equipment and instrument operation, calibration and maintenance, corrective action, and data handling must be conducted in accordance with

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NOTICE OF PROPOSED RULES

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846), Vol. One, Ch. One (Quality Control), incorporated by reference at Section 259.150 of this Part, or with an equipment or instrument manufacturer's or vendor's published standard operating procedures.

- 3) All laboratory quantitative analyses of soil samples to determine concentrations of pesticides must be conducted fully in accordance with "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846), Vol. One, Ch. One (Quality Control), incorporated by reference at Section 259.150 of this Part, relative to all facilities, equipment and instrumentation, operating procedures, sample management, test methods, equipment calibration and maintenance, quality assurance and quality control, corrective action, data reduction and validation, reporting, and records management. The practical quantitation limit (PQL) of the test methods selected must be less than or equal to the default SCO contained in Appendix B of this Part, or, if the site-specific cleanup objectives have been determined, the PQL must be less than or equal to the site-specific SCOs for the site.

- 4) All field or laboratory measurements of samples to determine physical or geochemical characteristics must be conducted in accordance with ASTM standards or other procedures as approved by the Department.

- 5) All laboratory quantitative analyses of soil samples to determine concentrations of any regulated substances or pesticides that require more sensitive detection limits or cannot be analyzed by standard methods identified in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846), incorporated by reference at Section 259.150 of this Part, must be conducted in accordance with analytical protocols developed in consultation with and approved by the Department.

- 6) All groundwater monitoring and analytical procedures must be conducted in accordance with 35 Ill. Adm. Code 620.505 and 620.510.

- 7) Effective July 1, 2002, all quantitative analyses of soil and groundwater samples collected on or after that date and utilizing any of the approved test methods identified in 35 Ill. Adm. Code 186.180 shall be completed by an accredited laboratory in accordance with the requirements of 35 Ill. Adm. Code 186. Quantitative analyses not utilizing an accredited laboratory in accordance with Part 186 shall be deemed invalid.

Section 259.320 Initial Assessment

- a) The purpose of the initial site assessment is to develop an appropriate sampling and analysis plan based on the environmental conditions at the agricultural facility. The specific objectives of

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the initial site assessment are to identify the following:

- 1) target pesticides,
- 2) locations of potable water supply wells,
- 3) the classification of the groundwater underlying the site,
- 4) soil and hydrogeologic conditions based on available information,
- 5) areas that may be locations of past pesticide contamination, and
- 6) whether the facility is located within the minimum or designated maximum setback zone or within a regulated recharge area of a potable water supply well.

- b) The initial site assessment must provide the following:

- 1) a listing of target pesticides, which must include all pesticides known or suspected to have been released, on the basis of interviews with the owner and operator and a site investigation by a licensed professional geologist, professional engineer or licensed industrial hygienist.

- A) Unless affirmatively demonstrated that a pesticide has not been stored, mixed or loaded on the site, all pesticides listed below must be considered target pesticides.

| | | |
|--------------|---------------|-------------|
| acetochlor | carbofuran | simazine |
| alachlor | 2,4-D | terbufos |
| atrazine | metolachlor | trifluralin |
| butylate | metribuzin | |
| chlorpyrifos | pendimethalin | |

- B) An applicant may elect to limit the pesticides, media (soil or groundwater) or area included in a site assessment. If the site assessment is limited in any way, the notice of closure will be limited to the pesticides, media or area included in the site assessment and any corrective actions;
- 2) facility site maps, at a scale no larger than 1 inch equals 200 feet, of sufficient detail and accuracy to show all of the following:

- A) areas of the site that involve the storage or mixing and loading of pesticides,
- B) site structures or buildings,
- C) roads or driveways and parking facilities,
- D) the location of the potable water supply for the site and any groundwater monitoring wells on the site, and
- E) the map scale (graphic and nominal), north arrow, date, name and address of preparer, and location of the site with respect to section, township, range, and principal meridian.
- 3) a map, at a scale no larger than 1 inch equals 400 feet, that shows the facility boundaries and all of the following:
 - A) land uses (e.g., residential, commercial/industrial, agricultural and conservation property) within 200 feet of the site boundaries,
 - B) any potable water supply wells within 200 feet of the site

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- C) the map scale (graphic and nominal), north arrow, date, name and address of preparer, and location of the site with respect to section, township, range, and principal meridian;
- 4) a soil survey map of the site and the surrounding area within 200 feet of the site and soil interpretation for each soil series identified on the site or within 200 feet of the site for:
 - A) soil physical and chemical properties,
 - B) engineering index properties, and
 - C) soil and water features;
- 5) copies of lithologic and construction logs for any monitoring well or potable water supply well on or within 200 feet of the site;
- 6) U.S. Geological Survey 7.5 minute topographic map showing the location of the facility, any community water supply wells within 2,500 feet of the site boundaries and the boundaries of any regulated recharge area for a community water supply well;
- 7) any pertinent reports containing hydrologic or geologic information by the Illinois State Water Survey, Illinois State Geological Survey or U.S. Geological Survey;
- 8) copies of prior site assessments and any pending, threatened or past litigation, administrative actions or notices from government entities regarding the storage or disposal of pesticides at the site; and
- 9) a detailed sampling and analysis plan including the following:
 - A) proposed number and location of soil samples,
 - B) total sampling depth and sampling depth intervals for soil samples,
 - C) locations and construction details for any proposed monitoring wells and any existing monitoring wells or water supply wells proposed for groundwater sampling,
 - D) list of analytes, analytical methods and expected detection limits in soil and water, and
 - E) quality assurance project plans for field and laboratory activities.

Section 259.330 Final Assessment

- a) The purposes of the final assessment are to execute the sampling and analysis plan for the soil and/or groundwater at the site and determine the locations of the pesticide concentrations that are:
 - 1) greater than or equal to the RSDs,
 - 2) greater than or equal to the SCOs, and
 - 3) below the RSDs and SCOs.
- b) The final site assessment must provide:
 - 1) results of laboratory analyses or field screening measurements of pesticide concentrations in soil and groundwater, including quality control samples;

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- 2) facility site maps, at a scale no larger than 1 inch equals 200 feet, of sufficient detail and accuracy to show all of the following:
 - A) the locations of all soil samples, keyed to a table of analytical results,
 - B) the locations of any monitoring or water supply wells sampled, keyed to a table of analytical results,
 - C) the direction and rate of movement of pesticides in groundwater, if known,
 - D) areas of the site that involve the storage or mixing and loading of pesticides,
 - E) site structures or buildings,
 - F) roads or driveways and parking facilities,
 - G) the location of the potable water supply for the site and any groundwater monitoring wells on the site, and
 - H) the map scale (graphic and nominal), north arrow, date, name and address of preparer, and location of the site with respect to section, township, range, and principal meridian;
- 3) characterization of significant physical features of the facility and vicinity that may affect pesticide fate and transport and risk to potable wells and class I, class II or class III groundwater.
- c) The applicant shall inform the Department of the schedule for conducting the final site assessment to allow representatives of the Department to observe assessment activities.

Section 259.340 Detailed Assessment for Development of Site-Specific Soil Cleanup Objectives

The purpose of the detailed assessment for site-specific soil cleanup objectives (SCOs) is to provide the information necessary for the calculation of site-specific soil cleanup objectives based on the site physical properties. The detailed assessment is optional and is only required when an applicant proposes corrective actions based on site-specific SCOs, instead of reliance on the default SCOs of Appendix B.

- a) To determine site-specific physical soil and hydrogeologic parameters, a minimum of one boring per 0.5 acre of contaminated soil area must be collected. This boring must be deep enough to allow the collection of the required field measurements. The soil taken from the borings must be visually inspected to ensure there are no significant differences in the stratigraphy. If there are similar soil types, one boring may be used to determine the site-specific physical soil parameters. If there are significant differences, all of the borings must be evaluated before determining the site-specific soil parameters for the site. The site-specific physical parameters must be determined from the portion of the boring representing the stratigraphic units being evaluated. In general, two samples from the boring will be required:
 - 1) a sample of the predominant soil type in the unsaturated zone,

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- and
- 2) a sample of the predominant geologic unit in the saturated zone.
- b) Not all of the parameters identified in Equation 1 in Section 259.350 of this Part must be determined on a site-specific basis. An applicant may collect partial site-specific information and use default values for the other parameters. Applicants should consider measuring the organic carbon content in all soil samples which have been collected to analyze for pesticide concentrations because the product of Equation 1 in Section 259.350 of this Part is most sensitive to the organic carbon content. The variable [foc] may not be measured in soils with visible evidence of pesticide contamination.
- c) A site-specific groundwater dilution factor (used in developing soil cleanup objectives based upon the protection of groundwater) may be determined by substituting site information in Equation 3 in Section 259.350 of this Part. A groundwater recharge rate (R in Equation 3) less than 0.15 m/yr may not be used unless it is demonstrated through on-site testing of hydraulic properties that the saturated hydraulic conductivity of the geologic material in which a Class II groundwater occurs or of the geologic material overlying a Class I or III groundwater is smaller than 1 x 10⁻⁶ cm/sec. The mixing zone depth (d in Equation 3) is the mean thickness of the geologic unit in which the Class I, II or III groundwater is present. A mixing zone depth larger than 6.5 meters may not be used in calculating a site-specific dilution factor.
- d) In addition to the parameters in Equation 3 in Section 259.350 of this Part, the following information on hydrogeologic conditions beneath the site must be determined:
- 1) mean depth to water table,
 - 2) mean depth to uppermost Class I, Class II or Class III groundwater,
 - 3) mean thickness of uppermost Class I, Class II or Class III groundwater, and
 - 4) groundwater flow direction.
- e) The applicant shall inform the Department of the schedule for conducting the final site assessment to allow representatives of the Department to conduct a site visit and observe assessment activities.

Section 259.350 Equations for Calculating Site-Specific Soil Cleanup Objectives

- a) Site-specific soil cleanup objectives are determined by the following equation:

$$SCO=C[w]([K[oc]xf[oc]) + \frac{[Theta[w]] + [Theta[a]]x H' [b]}{Rho[b]})]$$

- Where:
- SCO = soil cleanup objective (mg/kg)
- C[w] = target soil leachate concentration (mg/L)
- K[oc] = organic carbon partition coefficient (L/kg)
- f[oc] = organic carbon content of soil (kg/kg)
- Theta[w] = water-filled soil porosity (L[water]/L[soil])
- Theta[a] = air-filled soil porosity (L[air]/L[soil])
- H' = Henry's law constant (dimensionless)
- Rho(b) = dry soil bulk density (kg/L)
- References:
- "Soil Screening Guidance: User's Guide", April 1996, p. 29, eq. 10, and
- "Soil Screening Guidance: Technical Background Document", May 1996, p. 37, eq. 24.

- b) The target soil leachate concentration can be determined by the following equation:

$$C[w] = DF \times GW[obj]$$

Where:

- C[w] = target soil leachate concentration (mg/L)
- DF = groundwater dilution factor (dimensionless)
- GW[obj] = groundwater cleanup objective (mg/L)

- c) The dilution factor can be determined by the following equation:

$$DF= \frac{1+K \times i \times d \times W}{R \times L \times W}$$

Where:

- DF = groundwater dilution factor (unitless)
- K = aquifer hydraulic conductivity (m/yr)
- i = hydraulic gradient (m/m)
- d = mixing zone depth (m)
- R = groundwater recharge rate (m/yr)
- L = length of contaminated soil parallel to groundwater flow (m)
- W = width of contaminated soil perpendicular to groundwater flow (m)

- d) The default values for the equations in subsections (a) and (b) of this Section are:

| Parameter | Description | Default Value |
|-----------|----------------------|--------------------|
| DF | Groundwater dilution | 30 (dimensionless) |

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factor

f[oc] Organic carbon content of soil
0.008 kg/kg (0.8%) surface
or 0.002 kg/kg
(0.2%) subsurface (see
note below)

Theta[a] Air-filled soil porosity 0.2 (20%) L[air]/L[soil]

Theta[w] Water-filled soil porosity 0.2 (20%) L[water]/L[soil]

Rho[b] Dry soil bulk density 1.6 kg/L

H' Henry's law constant See Appendix D

K[oc] Organic carbon partition coefficient see Appendix D

GW[obj] Groundwater cleanup objective see Appendix C

NOTE: The default SCOs for surface soils in Appendix B of this Part apply to the upper 12 inches of the soil and any soil/gravel mixture within 12 inches of land surface. Default surface SCOs are calculated using Equation 1 of this Section and an organic carbon content (f[oc]) of 0.008. The subsurface SCOs apply from 12 inches below land surface to 60 inches below land surface. They are calculated using an f[oc] of 0.002. If pesticides are present in soil at depths greater than 60 inches below land surface, the applicant shall measure the f[oc] of at least 2 soil samples representative of the interval between 60 inches and the maximum depth at which pesticides are present in each boring within the area of contaminated soil. The variable f[oc] may not be measured in soil samples with visible evidence of pesticide contamination. The measured f[oc] must be used in Equation 1 in this Section to calculate the soil cleanup objective for contaminated soil below a depth of 60 inches.

SUBPART D: APPLICATION FOR REVIEW AND APPROVAL OF CORRECTIVE ACTION PLANS

Section 259.410 General

An owner or operator, who elects to participate in the Agrichemical Facility Response Action Program, shall submit corrective action plans for review by the Department and final approval by the Board pursuant to this Subpart.

Section 259.420 Submittal

The Agrichemical Facility Response Action Program application must be submitted

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to the Department on forms prescribed and provided by the Department with attachments, plans, and reports, as necessary. The forms may be copied or combined, but must contain original signatures. The application must be mailed or hand-delivered to the address designated by the Department. Corrective action plans must be prepared and implemented by or under the supervision of a licensed professional geologist, professional engineer, or licensed industrial hygienist.

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The application must, at a minimum, contain the following information:

- a) the facility name, address, telephone number, and the applicant's full legal name, address, and telephone number, including any duly authorized agents of the applicant, any contact persons to whom correspondence must be addressed, and the original signature of the applicant certifying the accuracy and completeness of the application;
- b) the agrichemical facility site identification number, if any, and the approximate size of the site in acres, and copies of all Department and Agency permits and endorsements pertaining to the site which are currently held by the owner or operator;
- c) the results of the environmental site assessment conducted pursuant to Subpart C of this Part; and
- d) the corrective action plan, that must include the following:
 - 1) a description of the scope of the problems to be addressed by the proposed action including the specific target pesticides and the physical area to be addressed by the corrective action plan;
 - 2) a statement of remediation objectives and a description of the method used to determine the remediation objectives;
 - 3) a description and justification of the remediation methods selected and how each remediation method identified in the corrective action plan fits into the overall strategy for addressing the past pesticide contamination, including but not limited to:
 - A) feasibility of implementation; and
 - B) whether the methods will perform satisfactorily and reliably until the remediation objectives are achieved;
 - 4) the proposed schedule of cleanup activities;
 - 5) a description of any proposed engineered barriers or institutional controls necessary to achieve the remediation objectives, including long-term reliability, operation and maintenance requirements. For remediation of soil contamination, engineered barriers, in conjunction with institutional controls, may be used. The engineered barrier covering the contaminated soil must consist of either caps, constructed of compacted clay, asphalt, concrete or other material approved by the Department, or permanent structures such as buildings;
 - 6) if technologies to remediate groundwater contamination are proposed, a description of post-remediation monitoring,

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including:

- A) purpose,
- B) locations,
- C) frequency, and
- D) contingencies in the event of an exceedance of applicable groundwater quality standards or health advisory levels;
- 7) references and other informational sources included as appendices.

Section 259.440 Department and Board Review

The Department and Board will jointly review corrective action plans in accordance with this Section. The Board has the authority to approve or deny the Department's recommendation regarding the application for corrective actions.

- a) For those corrective action plans that do not involve remediation of Class I or Class III groundwater, the Board and Department shall respond to the applicant within 90 days of receipt of an application. The Department will have 45 days from the receipt of an application to review and make a recommendation to the Board.
- b) For those corrective action plans that involve remediation of Class I or Class III groundwater, the Board and Department shall respond to the applicant within 120 days after receipt of an application. The Department will have 75 days after the receipt of an application to review and make a recommendation to the Board.
- c) The Department's record of its receipt date of an application shall be deemed conclusive unless a contrary date is proved by a dated, signed receipt from the Department.
- d) The Department shall notify the applicant in writing if the application or corrective action plan is incomplete.
- e) Reasons for denial of an application include, but are not limited to, the following:
 - 1) the application is incomplete,
 - 2) the site does not meet the applicability requirements set forth in this Part, or
 - 3) the proposed corrective actions will not attain the appropriate RSDL or soil cleanup objective.
- f) The Board shall have 30 days after the date of a recommendation by the Department to approve or deny the recommendation.
- g) The Department's record of its date of recommendation shall be deemed conclusive.
- h) The Board shall notify the Department in writing whether the recommendation is approved or denied.
- i) The Department shall notify the applicant within 15 days of the Board's decision.
- j) The notification of the Board's final action on the application shall be made by certified or registered mail.
- k) The applicant may agree to waive the review deadline under this

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Section at the request of the Department or the Board.

- 1) Final action shall be deemed to have taken place on the post-marked date that the notice is mailed by the Department.

Section 259.450 Agency Notification and Review

The Department shall provide notice to the Agency when the results of any environmental site assessment indicate that pesticide concentrations in Class I or Class III groundwater exceed any concentration level adopted as a standard pursuant to the Illinois Groundwater Protection Act or a health advisory level established by the Agency or the U.S. Environmental Protection Agency. If pesticide contamination in Class I or Class III groundwater exceeds a groundwater quality standard or health advisory level, an applicant may elect to participate in the Agrichemical Facility Response Action Program as described in this Part. In these instances, the scope of the corrective action plans developed, approved and completed under the program shall be limited to the soil pesticide contamination at the site unless implementation of the plan is coordinated, pursuant to Section 19.3(f) of the Act, as follows:

- a) Upon receipt of an application for approval of corrective action plans that include remediation of contaminated Class I or Class III groundwater, the Department shall notify the Agency and coordinate a joint review of the plan with the Agency.
- b) The Agency may provide a written endorsement of the corrective action plan.
- c) The Agency may approve a groundwater management zone for a period of 5 years after implementation of the corrective action plan to allow for groundwater impairment mitigation results.
- d) The Department, in cooperation with the Agency, shall recommend a proposed corrective action plan to the Board for final approval to proceed with groundwater remediation. The Agency shall have 60 days after the date of the notice by the Department to recommend approval, denial, or modification.
- e) The Department, in cooperation with the Agency, shall provide remedial project oversight, monitor remedial work progress, and report to the Board on the status of the remediation project.

SUBPART E: NOTICE OF CLOSURE AND RECORDING REQUIREMENTS**Section 259.510 General**

This Section provides for the issuance of a Notice of Closure following the satisfactory completion of corrective actions and submittal of a corrective action report.

- a) Upon completion of the activities described in the approved corrective action plan, the owner or operator shall submit a corrective action report to the Department. The report must provide adequate evidence to demonstrate that the actions were completed in accordance with the approved plan and that the cleanup objectives have been attained.

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- b) The corrective action report must provide the following:
- 1) certification by the facility owner and by the licensed professional geologist, professional engineer or licensed industrial hygienist who conducted the site assessments and supervised implementation of the corrective action plan, that all components of the approved corrective action plan were fully implemented;
 - 2) facility site maps, at a scale no larger than 1 inch equal to 200 feet, of sufficient detail and accuracy to show all of the following:
 - A) the boundaries of the facility;
 - B) any areas of the site from which pesticide contaminated soils were removed;
 - C) any areas of the site on which an engineered barrier was installed; and
 - D) the map scale (graphic and nominal), north arrow, date, name and address of preparer, and location of the site with respect to section, township, range, and principal meridian
 - 3) a list of the target pesticides that were included in the soil or groundwater remediation activities;
 - 4) documentation of the volume of soil removed from the site and how the contaminated soil was disposed of;
 - 5) as-built drawings of any engineered barriers constructed to achieve the approved remediation objectives;
 - 6) copies of any documents describing institutional controls accompanying engineered barriers;
 - 7) if groundwater remediation activities were conducted, copies of all analytical results of groundwater monitoring to demonstrate that the approved groundwater cleanup objectives were attained; and
 - 8) the results of a final inspection by representatives of the Department or Board.

Section 259.520 Issuance

- a) The Board shall submit its recommendation on approval of a corrective action report within 30 days after receipt of the report from the Department.
- b) The Department shall issue the Notice of Closure to the applicant within 15 days after the Board's recommendation for approval of a corrective action report.
- c) The Department shall mail the Notice of Closure by registered or certified mail, post-marked with a date stamp and with return receipt requested.
- d) Final action shall be deemed to have taken place on the post-marked date that the notice is mailed.

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- A Notice of Closure shall state that cleanup objectives for the site have been met and no further remedial action is required to remedy the past pesticide contamination, pursuant to Section 19.3 of the Act, and include the following:
- a) an acknowledgment that the requirements of the corrective action plan were satisfied;
 - b) a copy of the corrective action report submitted pursuant to Section 259.510 of this Part;
 - c) a statement that the issuance of the Notice of Closure signifies a release from further responsibilities under the Act;
 - d) if the remediation site includes a portion of a larger parcel of property or if the applicant has elected to limit either the area of soil or groundwater or the pesticides to be remediated, or both, the Notice of Closure shall be limited accordingly by its terms;
 - e) the prohibition against the use of any remediation site in a manner inconsistent with any institutional limitations without additional appropriate remedial activities;
 - f) a description of any preventive, engineering, and institutional controls required in the approved corrective action plan and notification that failure to manage the controls in full compliance with the terms of the corrective action plan may result in voidance of the Notice of Closure;
 - g) the recording obligations and opportunity to request a change in any institutional controls pursuant to this Part; and
 - h) if groundwater conditions were addressed during the site assessment or corrective action, the Agency and the Department may choose to include conditional requirements in accordance with the Illinois Groundwater Protection Act [415 ILCS 55] or the Groundwater Quality Standards (35 Ill. Adm. Code 620).

Section 259.540 Duty to Record

The applicant shall record the Notice of Closure with the Office of Recorder or the Registrar of Titles of the county within which the site is located within 30 days after receipt of the Notice of Closure. In addition, proof of recording of a closure report and Notice of Closure must be submitted to the Department within 30 days after filing. Failure to provide proof of recording may lead to voidance of a Notice of Closure.

Section 259.550 Voidance

- a) The Board may void a Notice of Closure for:
 - 1) violation of any applicable institutional controls or land use restrictions;
 - 2) failure of the owner, operator, or any subsequent transferee to maintain any approved engineering barriers or institutional controls;
 - 3) disturbance or removal of contaminated soil that has been left in place in accordance with the corrective action plan;

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- 4) failure to comply with the recording requirements of this Part;
 - 5) obtaining the Notice of Closure by fraud or misrepresentation; and
 - 6) subsequent discovery of pesticides not identified as part of the investigative or remedial activities upon which the issuance of the Notice of Closure was based.
- b) If the Board voids a Notice of Closure, it shall provide notice to the current title holder of the remediation site.
- 1) The notice shall specify the cause for the voidance and describe facts in support of that cause.
 - 2) The Department shall mail Notices of Voidance by registered or certified mail, date-stamped with return receipt requested.
 - 3) The Department shall submit the Notice of Voidance to the Office of the Recorder or the Registrar of Titles for the county in which the site is located. The notice shall be filed in accordance with Illinois law so that it forms a permanent part of the chain of title for the site.

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Section 259.APPENDIX A Remediation Suitability Determination Levels of Pesticides Listed as Hazardous Constituents in 35 Ill. Adm. Code 721

| Pesticide Name | CAS No.(a) | Test Method(b) | RSDL (mg/kg)(c) |
|-------------------|------------|----------------|-----------------|
| aldicarb | 116-06-3 | 8321 | 0.2 |
| aldrin | 309-00-2 | 8081 | 0.1 |
| butylate | 2008-41-5 | 8270 | 150 |
| carbofuran | 1563-66-2 | 8270 | 3 |
| chlordane | 57-74-9 | 8081 | 160 |
| 2,4-D | 94-75-7 | 8151 | 6 |
| 4,4'-DDD | 72-54-8 | 8081 | 130 |
| 4,4'-DDT | 50-29-3 | 8081 | 380 |
| dieldrin | 60-57-1 | 8081 | 0.08 |
| dimethoate | 60-51-5 | 8141 | 0.07 |
| dinoseb | 88-85-7 | 8151 | 0.4 |
| disulfoton | 298-04-4 | 8141 | 0.5 |
| endosulfan | 115-29-7 | 8081 | 3400 |
| endothall | 145-73-3 | 8270 | 14 |
| endrin | 72-20-8 | 8081 | 27 |
| EPTC | 759-94-4 | 8270 | 57 |
| heptachlor | 76-44-8 | 8081 | 13 |
| lindane | 58-89-9 | 8081 | 0.4 |
| methoxychlor | 72-43-5 | 8151 | 4100 |
| parathion, ethyl | 56-38-2 | 8141 | 440 |
| parathion, methyl | 298-00-0 | 8141 | 15 |
| phorate | 298-02-2 | 8141 | 2 |
| 2,4,5-TP | 93-72-1 | 8270 | 370 |
| toxaphene | 8001-35-2 | 8081 | 400 |

Notes:

(a) Chemical Abstract Service (CAS)

(b) USEPA Test Methods (SW-846)

(c) Value using Class I groundwater objectives of Appendix C and surface soil conditions

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Section 259. APPENDIX B Default Soil Cleanup Objectives

| Pesticide Name | CAS No. (a) | Test Method (b) | Subsurface (mg/kg) | Surface (mg/kg) |
|--------------------|-------------|-----------------|--------------------|-----------------|
| acetochlor | 34256-82-1 | 8151 | 0.12 | 0.9* |
| acifluorfen sodium | 62476-59-9 | 8151 | 1.0 | 2.8 |
| alachlor | 15972-60-8 | 8081 | 0.02 | 1.7* |
| aldicarb | 116-06-3 | 8321 | 0.02 | 0.6* |
| aldrin | 309-00-2 | 8081 | 0.01 | 0.02 |
| atrazine | 1912-24-9 | 8141 | 0.04 | 1.7* |
| bentazon sodium | 50723-80-3 | 8151 | 1.2 | 2.6 |
| bromacil | 314-40-9 | 8321 | 3.3 | 5.2 |
| bromoxynil (o) | 1689-99-2 | 8270 | 2.1 | 6.9 |
| butylate | 2008-41-5 | 8270 | 7.7 | 27 |
| carbofuran | 1563-66-2 | 8270 | 0.3 | 0.6 |
| chlordane | 57-74-9 | 8081 | 7.2 | 29 |
| chlorimuron-ethyl | 90982-32-4 | 8081 | 1.3 | 3.6 |
| chlorpyrifos | 2921-88-2 | 8141 | 13 | 50 |
| cyanazine | 21725-46-2 | 8141 | 0.2 | 1.1* |
| 2,4-D | 94-75-7 | 8151 | 0.5 | 1.1 |
| 4,4'-DDD | 72-54-8 | 8081 | 5.6 | 22 |
| 4,4'-DDE | 72-55-9 | 8081 | 16 | 64 |
| 4,4'-DDT | 50-29-3 | 8081 | 17 | 66 |
| diazinon | 333-41-5 | 8141 | 0.06 | 0.2 |
| dicamba | 1918-00-9 | 8151 | 1 | 1.4 |
| dieltrin | 60-57-1 | 8081 | 0.004 | 0.01 |
| dimethoate | 60-51-5 | 8141 | 0.01 | 0.3* |
| dinoseb | 88-85-7 | 8151 | 0.04 | 0.08 |
| disulfoton | 298-04-4 | 8141 | 0.02 | 0.2* |
| endosulfan | 115-29-7 | 8081 | 150 | 600 |
| endothall | 145-73-3 | 8270 | 0.9 | 2.4 |
| endrin | 72-20-8 | 8081 | 1.2 | 5 |
| EPTC | 759-94-4 | 8270 | 3 | 10 |
| glyphosate | 1071-83-6 | 8321 | 91 | 350 |
| HCH-alpha | 319-84-6 | 8081 | 0.003 | 0.01 |
| heptachlor | 76-44-8 | 8081 | 0.6 | 2.3 |
| heptachlor epoxide | 1024-57-3 | 8081 | 0.9 | 3.8 |
| lindane | 58-89-9 | 8081 | 0.02 | 0.07 |
| linuron | 330-55-2 | 8321 | 0.5 | 1.7 |
| malathion | 121-75-5 | 8141 | 11 | 41 |
| methoxychlor | 72-43-5 | 8151 | 180 | 730 |
| metolachlor | 51218-45-2 | 8151 | 8.3 | 22 |
| metribuzin | 21087-64-9 | 8270 | 1.2 | 2.8 |
| parathion, ethyl | 56-38-2 | 8141 | 19 | 77 |
| parathion, methyl | 298-00-0 | 8141 | 0.7 | 2.6 |

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

| | | | | |
|---------------|------------|------|------|------|
| pendimethalin | 40487-42-1 | 8091 | 230 | 900 |
| permethrin | 52645-53-1 | 8081 | 830 | 3300 |
| phorate | 298-02-2 | 8141 | 0.09 | 1.1* |
| simazine | 122-34-9 | 8141 | 0.05 | 1.7* |
| 2,4,5-TP | 93-72-1 | 8270 | 17 | 65 |
| terbufos | 13071-79-9 | 8141 | 0.07 | 0.4* |
| toxaphene | 8001-35-2 | 8081 | 18 | 72 |
| trifluralin | 1582-09-8 | 8091 | 23 | 100 |

Notes:

(a) Chemical Abstract Service (CAS)

(b) USEPA Test Methods (SW-846)

(*) Application Rate Equivalents (AREs) are based on USEPA-approved pesticide label rates for the specific pesticide active ingredient and conservative assumptions about soil properties. AREs only apply to the upper one foot of soil or soil/gravel mixture and are used as the SCO for the upper one foot of soil or soil/gravel mixture if the ARE is greater than the SCO value calculated using equation 1 in Section 259.350 of this Part.

The application rate equivalents can be determined using the equation below:

$$\text{ARE}\left(\frac{\text{mg}}{\text{kg}}\right) = \frac{\text{Application[Rate]}\left(\frac{\text{lb}}{\text{acre}}\right) \times \frac{\text{acre-foot}}{43560\text{ft}^2(3)} \times \frac{\text{ft}(3)}{1101\text{b}} \times \frac{1}{0.25\text{foot}} \times \frac{\text{kg}}{\text{kg}}}{1}$$

Where: ARE[s] =

application rate equivalent
(mg/kg) for coarse-textured,
low organic matter content
soils

Application[rate] =
current label application rate
(lb/acre)

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

Section 259.APPENDIX C Groundwater Cleanup Objectives (GW[obj])

| Pesticide Name | CAS No. (a) | Test Method (b) | Class I (mg/L)(c) | Class II (mg/L)(d) |
|--------------------|-------------|-----------------|----------------------|-----------------------|
| acetochlor | 34256-82-1 | 505 | 0.002(j) | 0.01(g) |
| acifluorfen sodium | 62476-59-9 | 515.1 | 0.091(f) | 0.455(g) |
| alachlor | 15972-60-8 | 505 | 0.002 | 0.01 |
| aldicarb | 116-06-3 | 531.1 | 0.003 | 0.015 |
| aldrin | 309-00-2 | 508 | 0.000005(e) | 0.000025(e) |
| atrazine | 1912-24-9 | 505 | 0.003 | 0.015 |
| bentazon sodium | 50723-80-3 | 515.1 | 0.21(f) | 1.05(g) |
| bromacil | 314-40-9 | 507 | 0.7(f) | 3.5(g) |
| bromoxynil (o) | 1689-99-2 | 507 | 0.14(f) | 0.7(g) |
| butylate | 2008-41-5 | 507 | 0.35(f) | 1.75(g) |
| carbofuran | 1563-66-2 | 531.1 | 0.04 | 0.2 |
| chlordane | 57-74-9 | 508 | 0.002 | 0.01 |
| chlorimuron-ethyl | 90982-32-4 | 508 | 0.14(f) | 0.7(g) |
| chlorpyrifos | 2921-88-2 | 525.2 | 0.021(f) | 0.105(g) |
| cyanazine | 21725-46-2 | 508.1 | 0.014(l) | 0.07(g) |
| 2,4-D | 94-75-7 | 515.1 | 0.07 | 0.35 |
| 4,4'-DDD | 72-54-8 | 508 | 0.0004(e) | 0.002(e) |
| 4,4'-DDE | 72-55-9 | 508 | 0.0003(e) | 0.0015(e) |
| 4,4'-DDT | 50-29-3 | 508 | 0.0003(e) | 0.0015(e) |
| diazinon | 333-41-5 | 507 | 0.00063(l) | 0.00315(g) |
| dicamba | 1918-00-9 | 515.1 | 0.21(f) | 1.05(g) |
| dieltrin | 60-57-1 | 508 | 0.000005(e) | 0.000025(e) |
| dimethoate | 60-51-5 | 8141(h) | 0.0014(f) | 0.007(g) |
| dinoseb | 88-85-7 | 515.1 | 0.007 | 0.07 |
| disulfoton | 298-04-4 | 507 | 0.00028(f) | 0.0014(g) |
| endosulfan | 115-29-7 | 508 | 0.2(e) | 1.0(e) |
| endothall | 145-73-3 | 548.1 | 0.1 | 0.1 |
| endrin | 72-20-8 | 508 | 0.002 | 0.01 |
| EPTC | 759-94-4 | 507 | 0.175(f) | 0.875(g) |
| glyphosate | 1071-83-6 | 508 | 0.7(k) | 3.5(g) |
| HCH-alpha | 319-84-6 | 508 | 0.00001(e) | 0.00005(e) |
| heptachlor | 76-44-8 | 505 | 0.0004 | 0.002 |
| heptachlor epoxide | 1024-57-3 | 505 | 0.0002 | 0.001 |
| lindane | 58-89-9 | 508 | 0.0002 | 0.001 |
| linuron | 330-55-2 | 508 | 0.014(f) | 0.07(g) |
| malathion | 121-75-5 | 508 | 0.14(f) | 0.7(g) |
| methoxychlor | 72-43-5 | 508 | 0.04 | 0.2 |
| metolachlor | 51218-45-2 | 507 | 1.05(f) | 5.25(g) |
| metribuzin | 21087-64-9 | 507 | 0.175(m) | 0.875(g) |
| parathion, ethyl | 56-38-2 | 8141(h) | 0.042(f) | 0.21(g) |
| parathion, methyl | 298-00-0 | 8141(h) | 0.00175(f) | 0.00875(g) |
| pendimethalin | 40487-42-1 | | 0.28(f) | 1.4(g) |
| permethrin | 52645-53-1 | | 0.35(f) | 1.75(g) |

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| | | | | |
|-------------|------------|---------|------------|------------|
| phorate | 298-02-2 | 8141(h) | 0.0014(i) | 0.007(g) |
| simazine | 122-34-9 | 505 | 0.004 | 0.04 |
| 2,4,5-TP | 93-72-1 | 515.1 | 0.05 | 0.25 |
| terbufos | 13071-79-9 | 507 | 0.00175(i) | 0.00875(g) |
| toxaphene | 8001-35-2 | 508 | 0.003 | 0.015 |
| trifluralin | 1582-09-8 | 508 | 0.0525(f) | 0.2625g |

Notes:

(a) Chemical Abstract Service (CAS)

(b) USEPA "Methods for the Determination of Organic Compounds in Drinking Water" Supplement III of 1995

(c) Groundwater Quality Standards for Class I: Potable Resource Groundwater (35 Ill. Adm. Code 620.410)

(d) Groundwater Quality Standards for Class II: General Resource Groundwater (35 Ill. Adm. Code 620.420)

(e) Tiered Approach to Corrective Action Objectives (TACO): Values Used to Calculate the Tier I Soil Remediation Objectives for the Migration to Groundwater Portion of the Groundwater Ingestion Route (35 Ill. Adm. Code 742.Appendix B:Table F)

(f) Human Threshold Toxicant Advisory Concentration (HTTAC) from "Procedures for Determining Human Threshold Toxicant Advisory Concentration for Class I: Potable Resource Groundwater". (35 Ill. Adm. Code 620.Appendix A) using values from Integrated Risk Information System (IRIS), USEPA

(g) Class II GW[obj] values based on Class I GW[obj] values times five (5)

(h) USEPA "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods (SW-846)", (July 1992)

(i) HTTAC using values from Health Effects Assessment Summary Tables (HEAST), 1997, USEPA

(j) Value from the Acetochlor Registration Agreement monitoring program, <http://www.epa.gov/oppefedl/aceto/index.htm>

(k) MCL value from Drinking Water Standards and Health Advisories (Summer 2000, EPA 822-B-00-001)

(l) HTTAC using RfD value from Drinking Water Standards and Health Advisories (Summer 2000, EPA 822-B-00-001)

(m) HTTAC using RfD value from Risk Assessment Information System (RAIS) http://risk.lsd.ornl.gov/rap_hp.shtml

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NOTICE OF PROPOSED RULES

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Section 259. APPENDIX D Pesticide Organic Carbon Partitioning Coefficients And Henry's Law Constants

| Pesticide Name | CAS No. (a) | Organic Carbon Partitioning Coefficients | Henry's Law Constant | Notes: |
|--------------------|-------------|--|----------------------------------|--|
| acetochlor | 34256-82-1 | K _{oc} (L/kg)(b) 952 (d) | H' (unitless)(c) 9.14E-07 (f) | (a) Chemical Abstract Service (CAS) (b) Selected values from U.S. Department of Agriculture, Agriculture Research Service, Pesticide Properties Database (PPD), Alternate Crops & Systems Laboratory, Beltsville, Maryland, http://wizard.arsusda.gov/acsl/ppdb3.html , unless otherwise noted (c) H' = K[H] as atm-m(3)/mol {vapor pressure x molecular weight / solubility in water} x {R (gas constant) x T (temperature as degrees Kelvin)} = K[H] x 41 at 25°C. Values from the ARS Pesticide Properties Database (PPD), unless otherwise noted (d) K _{oc} = 10 ((0.983 x logK _{ow}) + 0.00028), log K _{ow} linear relationship with K _{oc} by Di Toro, 1985 (Technical Background Document, p. 140, incorporated by reference at Section 259.150), log K _{ow} values from Syracuse Research Corporation, Physical Properties Database (PHYSPROP), http://esc.syrres.com/interkow/physprop.htm (e) Estimated K[H] values using data from the SRC Physical Properties Database (PHYSPROP) then converted to H' as noted in (c) above (f) K[H] values from the SRC Physical Properties Database (PHYSPROP) then converted to H' as noted in (c) above (g) Low K _{oc} based on anionic nature (high solubility, low vapor pressure and above pH 5) (h) Mean of values listed in ARS Pesticide Properties Database (PPD) (i) Estimated using vapor pressure from SRC Physical Properties Database (PHYSPROP) |
| acifluorfen sodium | 62476-59-9 | 113 | 8.10E-13 | |
| alachlor | 15972-60-8 | 124 | 1.32E-06 | |
| aldicarb | 116-06-3 | 26 | 5.07E-09 | |
| aldrin | 309-00-2 | 17500 | 1.65E-02 | |
| atrazine | 1912-24-9 | 147 | 1.01E-07 | |
| bentazon sodium | 50723-80-3 | 35 | 4.63E-14 | |
| bromacil | 314-40-9 | 15(h) | 4.57E-09 | |
| bromoxynil (o) | 1689-99-2 | 190 | 1.31E-03 | |
| butylate | 2008-41-5 | 304 | 3.46E-03 | |
| carbofuran | 1563-66-2 | 46 | 2.10E-08 | |
| chlor dane | 57-74-9 | 60000 | 3.86E-03 | |
| chlorimuron-ethyl | 90982-32-4 | 91(h) | 7.48E-14 | |
| chlorpyrifos | 2921-88-2 | 9930 | 3.02E-04 | |
| cyanazine | 21725-46-2 | 218 | 1.34E-10 | |
| 2,4-D | 94-75-7 | 48 | 7.35E-11 | |
| 4,4'-DDD | 72-54-8 | 231000 | 3.64E-04 | |
| 4,4'-DDE | 72-55-9 | 883000 | 4.15E-03 | |
| 4,4'-DDT | 50-29-3 | 921000(h) | 3.65E-04 | |
| diazinon | 333-41-5 | 1520 | 2.90E-05 | |
| dicamba | 1918-00-9 | 13 | 1.79E-08 | |
| dieldrin | 60-57-1 | 12000 | 2.65E-05 | |
| dimethoate | 60-51-5 | 20 | 5.61E-10 | |
| dinoseb | 88-85-7 | 30(g) | 2.44E-07 | |
| disulfoton | 298-04-4 | 1345 | 6.68E-05 | |
| endosulfan | 115-29-7 | 12400 | 1.19E-05 | |
| endothall | 145-73-3 | 85 | 1.56E-14(i) | |
| endrin | 72-20-8 | 10000 | 5.99E-05 | |
| EPTC | 759-94-4 | 223 | 6.56E-04 | |
| glyphosate | 1071-83-6 | 2100 | 5.72E-11 | |
| HCH-alpha | 319-84-6 | 5440(d) | 3.53E-04(e) | |
| heptachlor | 76-44-8 | 24000 | 1.43E-01 | |
| heptachlor epoxide | 1024-57-3 | 78600(d) | 2.05E-03(e) | |
| lindane | 58-89-9 | 1355 | 7.42E-05 | |
| linuron | 330-55-2 | 496 | 2.56E-07 | |
| malathion | 121-75-5 | 1200 | 4.64E-07 | |
| methoxychlor | 72-43-5 | 76000 | 4.80E-04(i) | |
| metolachlor | 51218-45-2 | 70 | 9.91E-07 | |
| metribuzin | 21087-64-9 | 52 | 1.48E-09 | |
| parathion, ethyl | 56-38-2 | 7660 | 9.57E-06 | |

Notes:

- (a) Chemical Abstract Service (CAS)
- (b) Selected values from U.S. Department of Agriculture, Agriculture Research Service, Pesticide Properties Database (PPD), Alternate Crops & Systems Laboratory, Beltsville, Maryland, <http://wizdard.arsusda.gov/acsl/ppdb3.html>, unless otherwise noted
- (c) H' = K[H] as atm-m(3)/mol [vapor pressure x molecular weight / solubility in water] x [R (gas constant) x T (temperature as degrees Kelvin)] = K[H] x 41 at 25°C. Values from the ARS Pesticide Properties Database (PPD), unless otherwise noted
- (d) K_{oc} = 10 ((0.983 x logK_{ow}) + 0.00028), log K_{ow} linear relationship with K_{oc} by Di Toro, 1985 (Technical Background Document, p. 140, incorporated by reference at Section 259.150), log K_{ow} values from Syracuse Research Corporation, Physical Properties Database (PHYSPROP), <http://esc.syrres.com/interkow/physprop.htm>
- (e) Estimated K[H] values using data from the SRC Physical Properties Database (PHYSPROP) then converted to H' as noted in (c) above
- (f) K[H] values from the SRC Physical Properties Database (PHYSPROP) then converted to H' as noted in (c) above
- (g) Low K_{oc} based on anionic nature (high solubility, low vapor pressure and above pH 5)
- (h) Mean of values listed in ARS Pesticide Properties Database (PPD)
- (i) Estimated using vapor pressure from SRC Physical Properties Database (PHYSPROP)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Auction License Act
- 2) Code Citation: 68 Ill. Adm. Code 1440
- 3) Section Numbers: Proposed Action:
1440.105 New
- 4) Statutory Authority: Implementing and authorized by the Auction License Act [225 ILCS 407].
- 5) A complete description of the subjects and issues involved: This rulemaking clarifies the jurisdiction of OBRE to license and regulate those persons or firms providing Internet auction services.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending to this Part? Yes
- | Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|----------------------------|
| 1440.100 | Amend | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.290 | New | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.300 | New | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.310 | New | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.320 | New | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.330 | New | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.340 | New | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.350 | New | 25 Ill. Reg. 6564, 5/25/01 |
| 1440.360 | New | 25 Ill. Reg. 6564, 5/25/01 |
- 10) Statement of Statewide Policy Objectives: There is no effect on local government.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: Interested parties should submit written comments or views concerning the proposed rulemaking to the attention of:

Alan Anderson
Legislative Liaison
Office of Banks and Real Estate
500 East Monroe
Springfield, Illinois 62701
Telephone: 217/782-3000
Telefax: 217/558-4297

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PROPOSED AMENDMENT

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses affected: There is no information available at this time to determine the types of small businesses affected by this rulemaking.
- B) Reporting, bookkeeping or other procedures required for compliance: As with other auctioneers or firms, those firms or persons providing Internet auction services will have to comply with the other provisions of the Act or rule. There are no other additional reporting, bookkeeping, or procedures required by this proposed rulemaking.
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: the need for this rulemaking was not known when the most recent regulatory agendas were submitted.

The full text of the Proposed Amendment begins on the next page.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PROPOSED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VIII: OFFICE OF BANKS AND REAL ESTATE

PART 1440

AUCTION LICENSE ACT

SUBPART A: DEFINITIONS

Section
1440.10 Definitions

SUBPART B: AUCTION LICENSE

Section

1440.100 Necessity of License; Exemptions
1440.105 Mail, Telecommunication and Internet Auctions; Necessity of License
1440.110 Examination
1440.120 Application for Auctioneer, Associate Auctioneer License and Auction Firm
1440.130 Application for Licensure, Practice Prior to the Act
1440.140 45 Day Permit Sponsor Card
1440.150 Restoration of Lapsed or Expired License
1440.160 Nonresident Auctioneer, Associate Auctioneer Reciprocity
1440.170 Fees
1440.180 Earnings from the Investment of Moneys in the Auction Recovery Fund
1440.190 Address Change, Notification
1440.200 Pocket Card
1440.210 Assumed Name
1440.220 Supervisory Duties
1440.230 Advertising; Buyer Premium; Disclosure
1440.240 Unlicensed Assistants
1440.250 Felony convictions; Discipline of Other Professional License; Notification
1440.260 Advertising; Auction without Reserve; Absolute Auction
1440.270 Escrow or Trust Accounts
1440.280 Termination for Failure to Pay Taxes, Child Support or Student Loan

AUTHORITY: Implementing and authorized by the Auction License Act [225 ILCS 407].

SOURCE: Adopted by emergency rulemaking at 23 Ill. Reg. 13414, effective October 25, 1999, for a maximum of 150 days; adopted at 24 Ill. Reg. 3518, effective February 22, 2000; amended at 25 Ill. Reg. _____, effective _____.

SUBPART B: AUCTION LICENSE

Section 1440.105 Mail, Telecommunication and Internet Auctions; Necessity of

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PROPOSED AMENDMENT

License

A person or entity who acts as an auctioneer, provides an auction service, holds himself, herself or itself out as an auctioneer, or conducts an auction via the mail, any telecommunication system or the Internet shall be licensed pursuant to the Act and this Part if:

- 1) such person or entity is located in the State of Illinois;
- 2) the prospective seller or seller, prospective lessor or lessor, or the prospective purchaser or purchaser is located in the State of Illinois and is required to agree to terms with such person or entity or compensates such person or entity, no matter where that person or entity is located; or
- 3) the property or subject matter offered at auction is located in the State of Illinois.

(Source: Added at 25 Ill. Reg. _____, effective _____.)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.280
Proposed Action:
Amendment
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) A Complete Description of the Subjects and Issues Involved: In Section 310.280, Designated Rate, the annual salary for the Public Information Officer IV (37004-42-00-005-10-01) is being increased from \$64,932 to \$67,764 at the request of the Department of Commerce and Community Affairs.
- 6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain any incorporations by reference? No
- 9) Are there any proposed amendments pending to this Part? Yes

| <u>Section Numbers</u> | <u>Proposed Action</u> | <u>Ill. Reg. Citation</u> |
|--------------------------|------------------------|----------------------------|
| 310.280 | Amend | 25 Ill. Reg. 3058, 3/2/01 |
| 310-Appendix A, Table AA | Amend | 25 Ill. Reg. 3058, 3/2/01 |
| 310.280 | Amend | 25 Ill. Reg. 4316, 3/30/01 |
| 310.280 | Amend | 25 Ill. Reg. 5774, 5/4/01 |
| 310.280 | Amend | 25 Ill. Reg. 7008, 6/8/01 |
| 310.110 | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| 310.130 | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| 310.290 | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| 310.530 | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| 310.540 | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| APPENDIX B | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| APPENDIX C | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| APPENDIX D | Amend | 25 Ill. Reg. 8911, 7/20/01 |
| APPENDIX G | Amend | 25 Ill. Reg. 8911, 7/20/01 |

- 10) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
(217) 782-5601

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.
- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2001
- The full text of the Proposed Amendment begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
 POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
 PAY PLAN

SUBPART A: NARRATIVE

| Section | |
|---------|--|
| 310.20 | Policy and Responsibilities |
| 310.30 | Jurisdiction |
| 310.40 | Pay Schedules |
| 310.50 | Definitions |
| 310.60 | Conversion of Base Salary to Pay Period Units |
| 310.70 | Conversion of Base Salary to Daily or Hourly Equivalents |
| 310.80 | Increases in Pay |
| 310.90 | Decreases in Pay |
| 310.100 | Other Pay Provisions |
| 310.110 | Implementation of Pay Plan Changes for Fiscal Year 2001 |
| 310.120 | Interpretation and Application of Pay Plan |
| 310.130 | Effective Date |
| 310.140 | Reinstitution of Within Grade Salary Increases (Repealed) |
| 310.150 | Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed) |

SUBPART B: SCHEDULE OF RATES

| Section | |
|---------|--|
| 310.205 | Introduction |
| 310.210 | Prevailing Rate |
| 310.220 | Negotiated Rate |
| 310.230 | Part-Time Daily or Hourly Special Services Rate |
| 310.240 | Hourly Rate |
| 310.250 | Member, Patient and Inmate Rate |
| 310.260 | Trainee Rate |
| 310.270 | Legislated and Contracted Rate |
| 310.280 | Designated Rate |
| 310.290 | Out-of-State or Foreign Service Rate |
| 310.300 | Educator Schedule for RC-063 and HR-010 |
| 310.310 | Physician Specialist Rate |
| 310.320 | Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections |
| 310.330 | Excluded Classes Rate (Repealed) |

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

| Section | |
|---------|--|
| 310.410 | Jurisdiction |
| 310.420 | Objectives |
| 310.430 | Responsibilities |
| 310.440 | Merit Compensation Salary Schedule |
| 310.450 | Procedures for Determining Annual Merit Increases |
| 310.455 | Intermittent Merit Increase |
| 310.456 | Merit Zone (Repealed) |
| 310.460 | Other Pay Increases |
| 310.470 | Adjustment |
| 310.480 | Decreases in Pay |
| 310.490 | Other Pay Provisions |
| 310.495 | Broad-Band Pay Range Classes |
| 310.500 | Definitions |
| 310.510 | Conversion of Base Salary to Pay Period Units |
| 310.520 | Conversion of Base Salary to Daily or Hourly Equivalents |
| 310.530 | Implementation |
| 310.540 | Annual Merit Increase Guidechart for Fiscal Year 2001 |
| 310.550 | Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed) |

APPENDIX A

| TABLE A | Negotiated Rates of Pay HR-190 (Department of Central Management Services - State of Illinois Building - SEIU) |
|----------|---|
| TABLE AA | NR-916 (Department of Natural Resources, Teamsters) |
| TABLE AB | VR-007 (Plant Maintenance Engineers, Operating Engineers) |
| TABLE B | HR-200 (Department of Labor - Chicago, Illinois - SEIU) (Repealed) |
| TABLE C | RC-069 (Firefighters, AFSCME) (Repealed) |
| TABLE D | HR-001 (Teamsters Local #726) |
| TABLE E | RC-020 (Teamsters Local #330) |
| TABLE F | RC-019 (Teamsters Local #25) |
| TABLE G | RC-045 (Automotive Mechanics, IFPE) |
| TABLE H | RC-006 (Corrections Employees, AFSCME) |
| TABLE I | RC-009 (Institutional Employees, AFSCME) |
| TABLE J | RC-014 (Clerical Employees, AFSCME) |
| TABLE K | RC-023 (Registered Nurses, INA) |
| TABLE L | RC-008 (Boilermakers) |
| TABLE M | RC-110 (Conservation Police Lodge) |
| TABLE N | RC-010 (Professional Legal Unit, AFSCME) |
| TABLE O | RC-028 (Paraprofessional Human Services Employees, AFSCME) |
| TABLE P | RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE) |
| TABLE Q | RC-033 (Meat Inspectors, IFPE) |
| TABLE R | RC-042 (Residual Maintenance Workers, AFSCME) |
| TABLE S | HR-012 (Fair Employment Practices Employees, SEIU) (Repealed) |
| TABLE T | HR-010 (Teachers of Deaf, IFT) |
| TABLE U | HR-010 (Teachers of Deaf, Extracurricular Paid Activities) |
| TABLE V | CU-500 (Corrections, Meet and Confer Employees) |

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| | |
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| TABLE W | RC-062 (Technical Employees, AFSCME) |
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| APPENDIX G | Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2001 |

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory

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amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854,

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effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160,

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effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 30, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill.

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Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; peremptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. _____, effective July 23, 2001; amended at 25 Ill. Reg. _____, effective _____.

SUBPART B: SCHEDULE OF RATES

Section 310.280 Designated Rate

The rate of pay for a specific positions or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Commerce & Community Affairs

Public Information Officer IV
(Pos. No. 37004-42-00-005-10-01)

Annual Salary
67,764
64,932

Public Service Administrator
(Pos. No. 37015-42-35-110-10-03)

Annual Salary
78,612

Public Service Administrator
(Pos. No. 37015-42-35-140-20-01)

Annual Salary
87,720

Department of Human Services

Medical Administrator I, Option D
(Pos. No. 26401-10-79-006-00-21)

Annual Salary
142,368

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Public Service Administrator
(Pos. No. 37015-10-23-100-30-01) Annual Salary
76,572

Senior Public Service Administrator
(Pos. No. 40070-10-65-000-00-01) Annual Salary
105,475

Senior Public Service Administrator
(Pos. No. 40070-10-81-920-00-21) Annual Salary
105,480

Illinois State & Local Labor Relations Board

Private Secretary II
(Pos. No. 34202-50-19-000-00-01) Annual Salary
51,900

Department of Natural Resources

Administrative Assistant II
(Pos. No. 00502-12-30-000-20-01) Annual Salary
50,520

Department of State Police

Senior Public Service Administrator
(Pos. No. 40070-21-10-000-00-01) Annual Salary
109,358

(Source: Amended at 25 Ill. Reg. _____, effective _____.)

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

1) Heading of the Part: Fees for the Dissemination of Conviction Information2) Code Citation: 20 Ill. Adm. Code 15403) Section Number: Proposed Action:

1540.10 Repealed

1540.20 Repealed

1540.30 Repealed

1540.40 Repealed

4) Statutory Authority: Implementing and authorized by Section 7 of the Criminal Identification Act [20 ILCS 2630/7].5) A Complete Description of the Subjects and Issues Involved: The Illinois Criminal Justice Authority no longer has authority over an individual's access and review of their criminal history record information and the fees required for dissemination of this information. The authority has now been vested with the Illinois State Police.6) Will this proposed repealer replace an emergency repealer in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this proposed repealer contain incorporation by reference? No9) Are there any other proposed amendments pending on this Part? No10) Statement of Statewide Policy Objectives: This repealer neither creates nor expands a state mandate.11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Jennifer Vesely
Illinois Criminal Justice Information Authority
120 South Riverside Plaza, Suite 1016
Chicago, IL 60606
Telephone: 312-793-8550
Facsimile: 312-793-8422

12) Initial Regulatory Flexibility Analysis:A) Types of small businesses, small municipalities and not for profit corporations affected: NoneB) Reporting, bookkeeping or other procedures required for compliance:
None

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C) Types of professional skills necessary for compliance: None13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Authority did not anticipate the need for the repealer at that time.The full text of the Proposed Repealer begins on the next page:

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

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NOTICE OF PROPOSED REPEALER

- TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER III: ILLINOIS CRIMINAL JUSTICE
INFORMATION AUTHORITY
- REPEALED
- PART 1540
- Section
1540.10 Purpose and Authorization
1540.20 Cost Criteria for Dissemination of Conviction Information
1540.30 Calculations and Fee Determination
1540.40 Notification of Fee Amount
- AUTHORITY: Implementing and authorized by Section 7 of The Criminal Identification Act [20 ILCS 2630/7].
- SOURCE: Adopted at 11 Ill. Reg. 7959, effective April 17, 1987; repealed at 25 Ill. Reg. _____, effective _____.
- 2) Process payments to the Federal Bureau of Investigation;
- 3) Perform Computerized Criminal History (CCH) inquiries or data entry;
- 4) Conduct a technical fingerprint comparison;
- 5) Prepare and mail responses to the requesting agency; and
- 6) Supervise and train personnel.
- b) Tangible Costs. The fee charged by the Department of State Police shall include all expenses incurred by the Department which are directly attributable to meeting the requirements of Section 1540.10. Such costs shall include the cost to the Department for:
- 1) Postage;
- 2) Printing of fingerprint cards;
- 3) Envelopes;
- 4) Transcript paper;
- 5) Processing forms;
- 6) Equipment used solely for the criminal record check program;
- 7) Amortizing the initiation of the criminal record check program; and
- 8) Maintenance of computer hardware and software.
- c) Program Related Costs. The fee charged by the Department of State of Police shall include a pro rated share of all non-personnel costs incurred by the Department of State Police to operate the CCH program. Such program related costs shall include the cost to the Department for:
- 1) Electricity;
- 2) Communications;
- 3) Travel;
- 4) Equipment;
- 5) Microfilming.

Section 1540.20 Cost Criteria for Dissemination of Conviction Information

The Department of State Police shall charge a fee established by the Authority, equivalent to the cost of providing conviction information pursuant to positive identification, to each agency and for each purpose authorized by Section 1540.10. Such fee shall be established by the Authority by taking the sum total of the following criteria:

a) Personnel Costs. The fee charged by the Department of State Police shall include all personnel costs necessary to meet the requirements of Section 1540.10. The personnel costs used shall be based upon the actual personnel costs, including all fringe benefits. If actual personnel costs cannot be determined, then the average personnel costs, including all fringe benefits, and the average production rate for the tasks performed shall be used for the tasks listed below. Such personnel costs shall include the cost to the Department of all tasks which must be performed to meet the requirements of Section 1540.10 to:

1) Receive, screen and process funds and applicant fingerprint cards received for all requests;

Section 1540.30 Calculations and Fee Determination

a) Before February 1, of each year, the Director of State Police shall furnish the Authority with a Statement of the Anticipated Costs for each criterion listed in Section 1540.20 for the succeeding state fiscal year and an explanation as to how such an amount was reached.

b) Before May 1, of each year, the Authority staff shall review such Statement by examining the documentation submitted pursuant to subsection (a) above for accuracy.

c) Subsequent to completion of the review in subsection (b) above and prior to July 1, of each year, the Executive Director of the Authority shall calculate the total sum of the cost of all the criteria listed in Section 1540.20 by adding together the costs of each such criterion and inform the members of the Authority of such amount. The total sum of such cost criteria, rounded to the next highest dollar, shall be the fee established by the Authority for the succeeding state fiscal year.

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

Section 1540.40 Notification of Fee Amount

- a) Within 7 working days after the fee has been established by the Authority pursuant to Section 1540.30(c), the Executive Director of the Authority shall inform the Director of State Police, the Director of Registration and Education, and those policing bodies (that in the past year have submitted fingerprint application cards to the Department of State Police for the purpose of assisting local liquor control commissioners in carrying out their duty) of the amount of the fee set by the Authority.
- b) Other interested policing bodies and agencies and the public shall, upon request, also be entitled to be informed of the amount of the fee set by the Authority pursuant to Section 1540.30(c). Such requests may be made by either telephoning the Authority at (312) 793-8550 between the hours of 8:30 a.m. and 5:00 p.m. on working days or by writing to the Executive Director of the Authority, Illinois Criminal Justice Information Authority, 120 South Riverside Plaza, Chicago, Illinois 60606.
- c) Within 7 working days of receipt of such a written request, the Executive Director of the Authority shall inform the requester, in writing, of the fee established pursuant to Section 1540.30(c).

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Individual's Right to Access and Review Criminal History Record Information
- 2) Code Citation: 20 Ill. Adm. Code 1530
- 3) Section Number:

| | |
|-----------|----------|
| 1530.10 | Repealed |
| 1530.20 | Repealed |
| 1530.30 | Repealed |
| 1530.40 | Repealed |
| 1530.50 | Repealed |
| EXHIBIT A | Repealed |
| EXHIBIT B | Repealed |
| EXHIBIT C | Repealed |
| EXHIBIT D | Repealed |
| EXHIBIT E | Repealed |
- 4) Statutory Authority: Implementing and authorized by Section 7 of the Criminal Identification Act (20 ILCS 2610/7).
- 5) A. Complete Description of the Subjects and issues Involved: The Illinois Criminal Justice Authority no longer has authority over an individual's access and review of his or her criminal history record information. The authority has now been vested with the Illinois State Police which has proposed rules to address this issue at 20 Ill. Adm. Code 1210.
- 6) Will these proposed repealer replace any emergency rules in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporation by reference? No
- 9) Are there any proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This repealer neither creates nor expands a state mandate.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Jennifer Vesely
 Illinois Criminal Justice Information Authority
 120 South Riverside Plaza, Suite 1016
 Chicago, IL 60606
 Telephone: 312-793-8550
 Facsimile: 312-793-8422

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This repealer was not included on either of the 2 most recent regulatory agendas because: The Authority did not anticipate the need for the repealer at that time.

The full text of the proposed repealer begins on the next page:

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER III: ILLINOIS CRIMINAL JUSTICE
INFORMATION AUTHORITY

PART 1530

INDIVIDUAL'S RIGHT TO ACCESS AND REVIEW
CRIMINAL HISTORY RECORD INFORMATION (REPEALED)

| Section | |
|-----------|-----------------------------------|
| 1530.10 | Definitions |
| 1530.20 | Applicability |
| 1530.30 | Reviewing Agencies |
| 1530.40 | Legal Counsel |
| 1530.50 | Forms and Procedures |
| EXHIBIT A | Request for Access and Review |
| EXHIBIT B | Notice of Review |
| EXHIBIT C | Record Challenge |
| EXHIBIT D | Request for Administrative Review |
| EXHIBIT E | Administrative Appeal Complaint |

AUTHORITY: Implementing and authorized by Section 7 of "AN ACT in relation to criminal identification and investigation (Ill. Rev. Stat. 1985 Supp., ch. 38, par. 206-7) and authorized by Section 7(g) of the Illinois Criminal Justice Information Act (Ill. Rev. Stat. 1983, ch. 38, par. 210-7(g)).

SOURCE: Adopted at 2 Ill. Reg. 33, p. 67, effective August 14, 1978; codified at 7 Ill. Reg. 15629; amended at 9 Ill. Reg. 2945, effective February 27, 1985; recodified from 20 Ill. Adm. Code 1210 to 20 Ill. Adm. Code 1530 at 10 Ill. Reg. 3273; repealed at 25 Ill. Reg. _____, effective _____.

Section 1530.10 Definitions

As used in this Part, the following terms are used as hereinafter defined:

"Access and Review" refers to the Requestor's right to review a current copy of his/her Criminal History Record Information maintained by the Department of State Police.

"Administrative Appeal" refers to the Requestor's right to a review of the Administrative Review by the Illinois Criminal Justice Information Authority.

"Administrative Review" refers to the Requestor's right to review of a record challenge by the Department of State Police.

"Challenge" refers to the Requestor's right to contest his/her Criminal History Record Information, or portions thereof, and an

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

opportunity to provide supporting documentation.

"Criminal History Record Information" refers to information collected on individuals consisting of identifiable descriptions, which include such information as name, sex, race, date of birth, Social Security Number, State Identification Number, Federal Bureau of Identification (FBI) Number, and other information used to determine the subject of the Criminal History Transcript, and notations of arrests, detentions, indictments, informations, or other formal criminal charges or proceedings, and disposition arising therefrom, sentencing, correctional supervision, and release.

"Criminal History Transcript" refers to the official document used by the Department of State Police to disseminate Criminal History Record Information.

"Illinois Criminal Justice Information Authority" refers to a body created pursuant to Ill. Rev. Stat. 1983, ch. 38, pars. 210-1 et seq.

"Requestor" refers to an individual who initiates access and review of his/her Criminal History Record Information.

"Reviewing Agency" refers to a law enforcement agency or a correctional facility.

"State Central Repository" refers to the Department of State Police which is responsible for Criminal History Record Information.

Section 1530.20 Applicability

This Part applies only to Criminal History Record Information collected, stored and disseminated by the Department of State Police pursuant to Ill. Rev. Stat. 1981, ch. 38, pars. 206-1 et seq. and as amended.

Section 1530.30 Reviewing Agencies

- a) Any law enforcement agency or correctional facility in the State of Illinois shall serve as a Reviewing Agency upon demand of the Requestor.
- b) If the Requestor demands access and review of Criminal History Record Information maintained by the Department of State Police and is not at the time of the demand within the State of Illinois, the Department shall make arrangements with a law enforcement agency or correctional facility to serve as a Reviewing Agency.
- c) The Reviewing Agency may be changed by the Requestor upon written notification to the original Reviewing Agency and the Department of State Police. The Department of State Police shall advise the new Reviewing Agency of the status of the review.

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- d) Reviewing Agencies shall make available access and review services between the hours of 8 AM and 4 PM daily, except Saturdays, Sundays, legal holidays, and during emergency conditions.
- e) Reviewing Agencies shall provide necessary personnel and facilities to assist the Requestor in completing forms and assisting in the explanation of Criminal History Record Information and decisions.
- f) Reviewing Agencies may charge a fee not to exceed \$10.00 for processing access and review requests.

Section 1530.40 Legal Counsel

The Requestor may be accompanied by his/her legal counsel or conduct any processes of access and review through his/her counsel except as necessary to establish positive identification of the Requestor.

Section 1530.50 Forms and Procedures

- a) Access and review may be initiated at any Reviewing Agency. The Request for Access and Review, Form CJIS-OPER-0105, as provided in Exhibit A, shall be used. The Requestor will be required to be fingerprinted.
- b) The Reviewing Agency shall forward the Request for Access and Review to the Department of State Police within 7 calendar days from the date the request was completed.
- c) The Department of State Police shall furnish a Criminal History Transcript or letter stating the Department of State Police does not have Criminal History Record Information for the Requestor within 30 days from the date the Department of State Police received the request.
- d) Upon receipt of the Criminal History Transcript or letter stating the Department of State Police does not have Criminal History Record Information for the Requestor, the Reviewing Agency shall notify the Requestor within 5 calendar days by means of the Notice of Review, Form CJIS-OPER-0106, specifying the date, time, place of review, and name of the reviewing officer.
- e) If the individual cannot be present at the scheduled time, the Requestor shall contact the Reviewing Agency and establish a new review date. If the individual does not acknowledge within 25 days from the date mailed, the review shall be considered complete and Copy 1 of the Notice of Review, Form CJIS-OPER-0106, as provided in Exhibit B, shall be labeled "unacknowledged" and shall be immediately returned to the Department of State Police.
- f) The Reviewing Agency shall inform the Requestor that he has the right to challenge any or all of the information contained in his Criminal History Transcript.
- g) If the Requestor is satisfied that the Criminal History Record Information is accurate and complete, the transaction is considered complete.

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- h) If the Requestor is not satisfied that the CHRI is accurate, a Record Challenge, Form CJIS-OPER-0107, as provided in Exhibit C, may be submitted to the Department of State Police by the individual through the Reviewing Agency stating specifically what information is being challenged.
- i) The Record Challenge shall be approved, denied, or partially approved upon the preponderance of the evidence available. The Department of State Police shall notify the reviewing agency of its decision within 30 days of receipt of the Record Challenge. If multiple Record Challenges are submitted, the Department of State Police shall respond 30 days after receipt of the last challenge. If response to the Record Challenge will exceed 30 days, the Department of State Police will notify the Reviewing Agency in writing of the anticipated delay. The delay shall not exceed 30 days. The Reviewing Agency shall notify the Requestor within 5 calendar days by means of a Notice of Review, Form CJIS-OPER-0106, specifying the date, time, place of review, and the name of the reviewing officer.
- j) If the individual cannot be present at the scheduled time, the Requestor shall contact the Reviewing Agency and establish a new review date. If the individual does not acknowledge within 25 days from the date mailed, the Record Challenge shall be considered complete and Copy 1 of the Notice of Review, Form CJIS-OPER-0106, shall be labeled "unacknowledged" and shall be promptly returned to the Department of State Police.
- k) If the Record Challenge is favorable and/or the Requestor is satisfied that the Criminal History Record Information is accurate and complete, the transaction is considered complete.
- l) If the Record Challenge is denied, or partially approved, the Reviewing Agency must then inform the Requestor of his/her right to file an Administrative Review. This Administrative Review, Form CJIS-OPER-0109, as provided in Exhibit D, may then be submitted by the individual through the Reviewing Agency to the Department of State Police. Once again the information that is being reviewed must be stated specifically.
- m) The Administrative Review shall be approved, denied, or partially approved based upon the preponderance of the evidence available. The Department of State Police shall notify the Reviewing Agency of its decision within 30 days of receipt of the Administrative Review. If response to the Administrative Review will exceed 30 days, the Department of State Police will notify the Reviewing Agency in writing of the anticipated delay. The delay shall not exceed 30 days. The Reviewing Agency shall notify the Requestor within 5 days by means of a Notice of Review, Form CJIS-OPER-0106, specifying the date, time and place of review and name of the reviewing officer.
- n) If the individual cannot be present at the scheduled time, the Requestor shall contact the Reviewing Agency and establish a new review date. If the individual does not acknowledge within 25 days from the date mailed, the Review shall be considered complete, and

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- Copy 1 of the Notice of Review, Form CJIS-OPER-0106, shall be labeled "unacknowledged" and shall be immediately returned to the Department of State Police.
- o) If the Administrative Review is favorable and/or the Requestor is satisfied that the Criminal History Record Information is accurate and complete, the transaction is considered complete.
- p) If the Administrative Review is denied, the Reviewing Agency must then inform the Requestor of his/her right to file an Administrative Appeal. This Administrative Appeal, Form CJIS-OPER-0108, as provided in Exhibit E, may then be submitted to the individual through the Reviewing Agency to the Department of State Police. The information that is being reviewed must be specifically stated.
- q) The Administrative Appeal shall be reviewed by the Illinois Criminal Justice Information Authority who will advise the Requestor and the Department of State Police, in writing, of the decision.
- r) Challenges and Administrative Reviews shall be filed by the Requestor within 60 calendar days from the date the Requestor was notified of the prior decision. Administrative Appeals shall be filed by the Requestor within 56 calendar days from the date the Requestor was notified of the prior decision.
- s) All Notices of Review shall be sent by certified mail.

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| DOCUMENT CONTROL NUMBER R00065383 | | INTERVIEWING AGENCY NCIC NO. 001 | | STATE BUREAU NUMBER BCI | | LAST NAME FIRST NAME | | MOODY NAME | |
| INTERVIEWING AGENCY NAME AND ADDRESS | | FBI NUMBER FBI | | 0 | | | | | |
| INTERVIEWING AGENCY PHONE NUMBER | | DATE RECEIVED AGENCY | | DATE RECEIVED CIVIL | | NAME | | SEX RACE SOB DATE OF BIRTHDOB SEX SCARS MANIFESTATIONS DAY | |
| DATE PRINTED | | ALSO KNOWN AS AKA | | ALSO KNOWN AS AKA | | SOCIAL SECURITY NUMBER SOC | | MISCELLANEOUS NUMBER MNU | |
| CONTRIBUTING AGENCY NCIC NO. | | SIGNATURE OF INTERVIEWING OFFICER | | IDENTIFICATION NUMBER | | CLASSIFICATION | | STATE USE ONLY | |
| SIGNATURE OF REQUESTER | | DATE | | DATE | | REFERENCE | | NCIC FINGERPRINT CLASSIFICATION FPC | |
| SIGNATURE OF OFFICIAL TAKING FINGERPRINTS | | IDENTIFICATION NUMBER | | DATE | | | | | |

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| REQUESTER: | | LAST NAME FIRST NAME | | MOODY NAME | |
| STREET ADDRESS | | STREET ADDRESS | | STREET ADDRESS | |
| CITY | | CITY | | CITY | |
| STATE | | STATE | | STATE | |
| ZIP CODE | | ZIP CODE | | ZIP CODE | |
| TELEPHONE NUMBER | | TELEPHONE NUMBER | | TELEPHONE NUMBER | |

STATE BRIEFLY THE PURPOSE OF REQUEST FOR ACCESS AND REVIEW

| | | | |
|--------------------------|--|---------------------|------|
| <input type="checkbox"/> | HAVE REVIEWED A COPY OF MY TRANSCRIPT | REQUESTER SIGNATURE | DATE |
| <input type="checkbox"/> | HAVE REVIEWED MY TRANSCRIPT AND VERIFIED ITS CORRECTNESS | REQUESTER SIGNATURE | DATE |
| <input type="checkbox"/> | HAVE REVIEWED MY TRANSCRIPT AND BELIEVE IT IS CORRECT | REQUESTER SIGNATURE | DATE |

REQUEST FOR ACCESS AND REVIEW

COPY 1 - STATE CENTRAL REPOSITORY

FILED

DEC 01 1985

RECORDED

DEC 01 1985

INSTRUCTIONS

TYPE or PRINT all information, use block of letters full physical description, use LEADS NCIC abbreviations only.
All photo signatures must be present, reviewing officer requests official looking fingerprints.
Completeness and accuracy is essential to ensure proper identification.

COPY DISPOSITIONS

- Copy 1 2 3
Department of Law Enforcement
Bureau of Identification
County Assistance Unit
Chicago Vice Squad
Joliet, Illinois 60432
Telephone No. 815 727-5301
- Copy 2
Reviewing Agency
- Copy 4
Requester

ABBREVIATIONS

- HGT — Height
SEX — Enter M or F
SKN — Subject's Skin Tone
SOB — State of Birth
WGT — Weight
RACE — ENTER
W — White
N — Negro
J — Japanese
I — Indian
C — Chinese
O — Other
- Always refer to NCIC codes and abbreviations when in doubt in making entries

YOUR FP CARD IS BEING RETURNED BECAUSE:

- ____ Name Incomplete or Unclear
____ No Race Shown
____ Race Shown Not Clear
____ No Date of Birth
____ No Official Signature
____ Not Fully Rolled
____ Improperly Inked
____ Smudged, Blurred or Unreadable
____ Un-Classifiable
____ Missing Impression
____ Hands Reversed
____ No Requester Signature
____ Other

RECORDED

DEC 01 1985

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ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

Section 1530.EXHIBIT B Notice of Review

| | | | |
|-----------------------------------|---------------------------|------|--------------------|
| DCN | NOTICE OF REVIEW | | 80 JUL 1985 |
| — FOR REVIEWING AGENCY USE ONLY — | | | |
| NAME | REQUESTER | | |
| STREET ADDRESS | Reviewing Agency NCIC No. | | |
| CITY | STATE | ZIP | Date form received |
| DATE OF BIRTH | SEX | RACE | Date Notice Mailed |
| TELEPHONE (HOME OR BUS) | Date Review held | | |

INFORMATION AVAILABLE FOR REVIEW

- ☐ Criminal History Record Information
- ☐ Written explanation of Record Challenge Decision
- _____ Approved _____ Denied _____ Partially Approved
- ☐ Written explanation of Administrative Review Decision
- _____ Approved _____ Denied _____ Partially Approved
- ☐ Written explanation of Administrative Appeal Decision
- _____ Approved _____ Denied _____ Partially Approved

AT THE FOLLOWING TIME AND PLACE

Time _____ AM _____ PM Date _____ Reviewing Agency _____
Street Address _____ City _____ Illinois, Zip _____
Telephone _____ Reviewing Officer _____ Officer I.D. _____

To Reschedule your appointment, telephone the Reviewing Agency OR indicate alternate times in the spaces provided and mail this paper to the Reviewing Agency.

Time _____ AM _____ PM Date _____
Time _____ AM _____ PM Date _____

BRING THE FOLLOWING TO YOUR APPOINTMENT

- Your copy of your Request for Access and Review
- Any official documents related to your record
- Your Record Challenge form, if you have a copy
- Your Record Transcript, if you were given a copy

COPY 1 - STATE CENTRAL DEPOSITORY

FILED

RECORDED

DEC 01 1985

PART

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ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

INSTRUCTIONS

1. TYPE or PRINT all information; use BLACK INK.
2. USE LEADS/NCIC abbreviation only.
3. ALL signatures must be present.
4. CORRECT and LEGIBLE entry of the CASE NUMBER and BCI number.
5. COMPLETENESS and ACCURACY of all information is essential.

Mail State Central Repository copies to:

DEPARTMENT OF LAW ENFORCEMENT

Bureau of Identification
Quality Assurance Unit
515 E. Woodruff Road
Joliet, Illinois 60432

Telephone No. 815/727-5301

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ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

Section 1530, EXHIBIT C Record Challenge

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|-----------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
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| CHALLENGER | | | | | | | | | | | | | | | | | | | | |
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| REVIEWING AGENCY | | | | | | | | | | | | | | | | | | | | |
| NAME ADDRESS TELEPHONE NO. NUMBER | | | | | | | | | | | | | | | | | | | | |

FOR EACH ITEM CHALLENGED INDICATE BELOW WHAT YOU BELIEVE TO BE THE CORRECT INFORMATION OR REASON FOR CHALLENGE IF POSSIBLE CITE ORIGINAL DOCUMENTS TO SUPPORT YOUR CLAIM AND ATTACH COPY USE SEPARATE SHEET IF NECESSARY

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RETAIN THIS DOCUMENT

You have a right to review your criminal history record. This information is used by State and Federal criminal justice agencies. Any inaccuracies, omissions, or improperly obtained or maintained information can be challenged in order to correct the record. The steps you should follow are described below.

1. REQUEST FOR ACCESS AND REVIEW. Upon request, all your criminal history record information maintained by the State of Illinois will be made available for your inspection. To ensure proper identification, your fingerprints will be taken.
- You will be notified when your review is available.
 - The record must be reviewed at the place where the request was made.
 - You must bring a copy of your Request for Access and Review to your review appointment.
 - You should bring any official papers that are related to your record to your appointment.

2. **RECORD CHALLENGE.** If you believe that an inaccuracy, omission, or improperly obtained or maintained information is included in your file, you may submit a Record Challenge. Your corrections will either be approved or denied. You will be given an opportunity to see a written explanation of the decision.

3. **REQUEST FOR ADMINISTRATIVE REVIEW.** If your challenge is denied, you may submit a Request for Administrative Review with the Superintendent of the Illinois Bureau of Identification. You will be notified of the decision and given an opportunity to see a written explanation.

4. ADMINISTRATIVE APPEAL COMPLAINT If your challenge is denied a second time, you may file an Administrative Appeal Complaint. You are entitled to a hearing and may present evidence and witnesses

YOU MUST SHOW A COPY OF YOUR REQUEST FOR ACCESS AND REVIEW AT EVERY STEP DESCRIBED ABOVE. DO NOT LOSE THIS DOCUMENT.

WARNING: IT IS A VIOLATION OF FEDERAL LAW (42 U.S.C. § 3771) TO USE THESE PROCEDURES FOR ANY OTHER PURPOSE THAN THE INDIVIDUAL REVIEW OF A CRIMINAL HISTORY RECORD. ANY EMPLOYER WHO REQUIRES SUCH INFORMATION AS A CONDITION OF EMPLOYMENT WILL BE SUBJECT TO A \$10,000 FINE. VIOLATIONS SHOULD BE REPORTED TO THE U.S. FEDERAL ATTORNEY'S OFFICE IMMEDIATELY.

FOR MORE INFORMATION CONTACT YOUR LOCAL POLICE DEPARTMENT,
SHERIFF'S OFFICE OR THE ILLINOIS BUREAU OF IDENTIFICATION, CRIMINAL
JUSTICE INFORMATION SERVICE

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

NOTICE OF PROPOSED REPEALER

Section 1530. EXHIBIT D Request for Administrative Review

| | | | | |
|----------------------|--|--------------------------------------|----------|----------------|
| DCN: [REDACTED] | | REQUEST FOR ADMINISTRATIVE REVIEW | | BC: [REDACTED] |
| REQUESTER | | REVIEWING AGENCY | | |
| NAME | | NAME (PRINTED) (LAST, FIRST, MIDDLE) | | |
| STREET ADDRESS | | | | |
| CITY | | STATE | ZIP CODE | |
| DATE OF BIRTH | | SEX | RACE | |
| SIGNATURE | | | | |
| ITEMS TO BE REVIEWED | | | | |

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FOR EACH ITEM CHALLENGED INDICATE BELOW WHAT YOU BELIEVE TO BE THE CORRECT INFORMATION OF REASON FOR CHALLENGE. IF POSSIBLE, CITY ORIGINAL DOCUMENTS TO SUPPORT YOUR CLAIM AND ATTACH COPY. USE SEPARATE SHEET IF NECESSARY.

| | | | | |
|--|------|-------------|------|-----------|
| REVIEWING AGENCY | DATE | APPROVED BY | DATE | SIGNATURE |
| REQUESTER'S SIGNATURE | | | | |
| DATE | | | | |
| COPIES TO SUPERINTENDENT ILLINOIS BUREAU OF IDENTIFICATION | | | | |
| FILED | | | | |

RECORDED

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ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

INSTRUCTIONS

1. TYPE or PRINT all information; use BLACK INK.
2. USE LEADS NCIC abbreviation only.
3. ALL signatures must be present.
4. CORRECT and LEGIBLE entry of the CASE NUMBER and BCI number.
5. COMPLETENESS and ACCURACY of all information is essential.

Mail State Central Repository copies to:

DEPARTMENT OF LAW ENFORCEMENT
Bureau of Identification
Quality Assurance Unit
515 E. Woodruff Road
Joliet, Illinois 60432

Telephone No. 815/727-5301

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PART

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ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

Section 1530, EXHIBIT E Administrative Appeal Complaint

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|-----------|--|--|--|--|--|--|--|--|--|
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| REQUESTER | | | | | | | | | | REVIEWING AGENCY | | | | | | | | | | | | | | | | | | | |
| NAME | | | | | | | | | | NAME ADDRESS TELEPHONE NO. NUMBER | | | | | | | | | | | | | | | | | | | |
| STREET ADDRESS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CITY | | | | | | | | | | STATE ZIP CODE | | | | | | | | | | | | | | | | | | | |
| DATE OF BIRTH | | | | | | | | | | SEX RACE | | | | | | | | | | | | | | | | | | | |
| TELEPHONE NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

ITEMS TO BE REVIEWED

FOR EACH ITEM CHALLENGED INDICATE BELOW WHAT YOU BELIEVE TO BE THE CORRECT INFORMATION OR REASON FOR CHALLENGE. IF POSSIBLE, CITE ORIGINAL DOCUMENTS TO SUPPORT YOUR CLAIM AND ATTACH COPY. USE SEPARATE SHEET IF NECESSARY.

| | | | | |
|--|-------|--------|------|-----------|
| NOTICE: YOU ARE ENTITLED TO A HEARING BEFORE THE COUNCIL. CHECK HERE IF YOU WISH TO PRESENT YOUR CORRECTIONS IN PERSON. <input checked="" type="checkbox"/> | | | | |
| BY THE COURT JUDGE'S NAME | COURT | COUNTY | DATE | SIGNATURE |
| REQUESTER'S SIGNATURE | | | | |
| COPY 1: ILLINOIS CRIMINAL JUSTICE INFORMATION SYSTEMS COUNCIL | | | | |
| DATE | | | | |

DATE _____
COPY 1 - ILLINOIS CRIMINAL JUSTICE INFORMATION SYSTEMS COUNCIL

FILED

| ILLINOIS ADMINISTRATIVE CODE | 9796 | 01 |
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INSTRUCTIONS

1. TYPE or PRINT all information; use BLACK INK.
2. USE LEADS/NCIC abbreviation only.
3. ALL signatures must be present.
4. CORRECT and LEGIBLE entry of the CASE NUMBER and BCI number.
5. COMPLETENESS and ACCURACY of all information is essential.

Mail State Central Repository copies to:

DEPARTMENT OF LAW ENFORCEMENT
Bureau of Identification
Quality Assurance Unit
515 E. Woodruff Road
Joliet, Illinois 60432

Telephone No. 815/727-5301

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PART

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ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Procedures for Approving the Form and Manner of Reporting Arrest, Charge, and Disposition Information to the Department of State Police

2) Code Citation: 20 Ill. Adm. Code 1550

3) Section Number: Proposed Action:

| | |
|---------|----------|
| 1550.10 | Repealed |
| 1550.20 | Repealed |
| 1550.30 | Repealed |
| 1550.40 | Repealed |
| 1550.50 | Repealed |
| 1550.60 | Repealed |
| 1550.70 | Repealed |

- 4) Statutory Authority: Implementing Section 2.1 of the Criminal Identification Act [20 ILCS 2630/2.1] and authorized by Section 2 of the State Police Act [20 ILCS 2610/2].

- 5) A Complete Description of the Subjects and Issues Involved: The Illinois Criminal Justice Authority no longer has authority over this Part (20 Ill. Adm. Code 1550). The authority has now been vested with the Illinois State Police.

- 6) Will this proposed repealer replace an emergency repealer in effect? No

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- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed repealer contain incorporation by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This repealer neither creates nor expands a state mandate.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Jennifer Vesely
Illinois Criminal Justice Information Authority
120 South Riverside Plaza, Suite 1016
Chicago, IL 60606
Telephone: 312-793-8550
Facsimile: 312-793-8422

- 12) Initial Regulatory Flexibility Analysis:

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Authority did not anticipate the need for this repealer at that time.

The full text of the proposed repealer begins on the next page:

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER III: ILLINOIS CRIMINAL JUSTICE
INFORMATION AUTHORITY

PART 1550

PROCEDURES FOR APPROVING THE FORM AND MANNER
OF REPORTING ARREST, CHARGE, AND DISPOSITION INFORMATION TO
THE DEPARTMENT OF STATE POLICE (REPEALED)

| Section | Purpose, Authorization and Applicability |
|---------|--|
| 1550.10 | Definitions |
| 1550.20 | Proposing Form and Manner |
| 1550.30 | Approving Form and Manner |
| 1550.40 | Appealing Form and Manner |
| 1550.50 | Notification of Agencies |
| 1550.60 | Responsibility for Printing and Distribution |
| 1550.70 | |

AUTHORITY: Implementing Section 2.1 of the Criminal Identification Act [20 ILCS 2630/2.1] and authorized by Section 2 of the State Police Act [20 ILCS 2610/2].

SOURCE: Adopted at 12 Ill. Reg. 7585, effective April 18, 1988; repealed at 25 Ill. Reg. _____, effective _____.

Section 1550.10 Purpose, Authorization and Applicability

Section 1550.10 Purpose, Authorization and Applicability

- a) The Illinois Criminal Justice Information Authority (Authority) establishes this Part to exercise its responsibility under Section 7(g) of the Illinois Criminal Justice Information Act (Ill. Rev. Stat. 1985, ch. 38, par. 210-7(g) to *issue regulations, guidelines and procedures which ensure the privacy and security of criminal history record information consistent with state and federal laws (relating to the privacy and security of criminal history record information) for the purpose of maintaining complete and accurate criminal records of the Illinois Department of State Police reported by the policing bodies of this State, the Illinois Department of Corrections, the sheriff of each county, and the state's attorney of each county.*
- b) Pursuant to Section 2.1 of "AN ACT in relation to criminal identification and investigation" (Ill. Rev. Stat. 1985, ch. 38, par. 206-2.1), it shall be the duty of the policing bodies in Illinois, the Illinois Department of Corrections, the sheriff of each county and the state's attorney of each county to report criminal arrest, charge, and disposition information to the Illinois Department of State Police in *the form and manner approved by the Illinois Criminal Justice Information Authority.*
- c) This Part shall apply to the Illinois Department of State Police, all

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- policing bodies of this State, the Illinois Department of Corrections, the sheriff of each county, and the state's attorney of each county.
- d) For the purpose of this Part, communication with the Department of State Police shall be through the Director of State Police or his or her designate. Communication with other agencies shall be through the agency head or his or her designate.

Section 1550.20 Definitions

- a) Days - The term "days" means calendar days.
- b) Form and Manner - The phrase "form and manner" means all data, information, material and procedures utilized by policing bodies, state's attorneys, sheriffs, and the Illinois Department of Corrections for satisfying the requirements of reporting criminal arrest, charge, disposition, and corrections information to the Illinois Department of State Police pursuant to Section 2.1 of "AN ACT in relation to criminal identification and investigation" (Ill. Rev. Stat. 1985, ch. 38, par. 206-2.1). This comprises the information to be reported to the Illinois Department of State Police:
- 1) the data elements to be used. The data elements included in the definition of "form and manner" may vary from time to time, dependent upon the actual needs of the reporting agencies and the operations of the Department of State Police. The following are examples of such data elements to be used. These include but are not limited to:

- A) Arrest information (offense charges and decisions not to refer arrests for prosecution), charge information (offense classification and charges filed, including charges added subsequent to the filing of a criminal court case, charges not filed for which the Department has a record of arrest, and juvenile prosecuted as an adult pursuant to the Juvenile Court Act of 1987 (P.A. 85-601, effective January 1, 1988, Ill. Rev. Stat. ch. 37, par. 801-1 et seq.)), and corrections information as contained in subsection 2.1(e) of "AN ACT in relation to criminal identification and investigation" (Ill. Rev. Stat. 1985, ch. 38, par. 206-2.1(e)) (concerning the receipt, escape, execution, death, release, pardon, parole, commutation of sentence, granting of executive clemency, and discharge);

- B) Records of identification, fingerprints, photographs, and physical measurements and descriptions of all persons arrested (name, birthdate, aliases, alias dates of birth, sex, race, birthplace, hair color, skin tone, height, weight, eye color, scars, marks, tattoos, driver's license numbers, social security number if volunteered, signature, FBI number, state identification number, fingerprint classification, agency offender identification number, and cautions);

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- C) Reporting agency information (county, agency name and identification numbers, case numbers, and officials' signatures and identification numbers);
- D) Relevant dates (date of arrest, date of offense, date of fingerprinting);
- E) Warrant information (arrest type, court case number, and issuing county);
- F) Bond information (date bond deposited, receipt numbers, amount, and bond type); and
- G) Document Control Number;
- 2) the standard terminology by which such data elements are defined in official instruction sheets for use by reporting agencies;
 - 3) the standard formats for reporting and recording such data elements;
 - 4) any table or index of required codes for such data elements;
 - 5) the design of paper forms;
 - 6) the design of automated reporting formats;
 - 7) the instruction for the use of paper forms and automated reporting formats (including required reporting time periods and procedures for notifying the Department of State Police in case of errors in reported information); and
 - 8) procedures for reporting and delivering the information to the Department of State Police.
- c) Proposal - The term "proposal" means a written proposal made to the Authority pursuant to this Part for the purpose of establishing or modifying the form and manner of reports required by Section 2.1 of "AN ACT in relation to criminal identification and investigation (Ill. Rev. Stat. 1985, ch. 38, par. 206-2.1).

Section 1550.30 Proposing Form and Manner

- a) The Authority shall approve the form and manner and any changes proposed in the form and manner for satisfying the requirements of Section 2.1 of "AN ACT in relation to criminal identification and investigation" (Ill. Rev. Stat. 1985, ch. 38, par. 206-2.1), as defined by Section 1550.20. Criminal justice agencies required to report to the Department of State Police under Ill. Rev. Stat. 1985, ch. 38, par. 206-2.1, criminal justice agencies authorized to obtain access to the information reported under Ill. Rev. Stat. 1985, ch. 38, par. 206-3 and ch. 38, par. 210-1 et seq., and the Department of State Police are authorized to propose the form and manner and any changes in the form and manner of the reports for approval by the Authority.
- b) All such proposals shall be submitted in writing to the Executive Director of the Illinois Criminal Justice Information Authority.
- c) The Executive Director shall provide (by certified mail, return receipt requested) the Department of State Police with a copy of all proposals not submitted by the Department of State Police. Such notice shall contain the date of receipt of the proposal and specify

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

the dates relevant to actions taken by the Executive Director pursuant to this subsection, to approving form and manner pursuant to Section 1550.40, and to calculating commencement of the appeal period under Section 1550.50. The Executive Director shall not act on such proposals until at least 21 days after receipt of the copy by the Department of State Police.

Section 1550.40 Approving Form and Manner

- a) The Executive Director shall, within 56 days of receiving a proposal, either approve the proposed change on behalf of the Authority, disapprove the proposed change, or submit the proposal to the Chairman of the Authority. Approval or disapproval shall be based upon the potential impact on the criminal justice system, local criminal justice agencies and the operations of the Department of State Police; the cost to local criminal justice agencies and the Department of State Police; and the overall benefit to the criminal justice system and improvement to the Computerized Criminal Histories (CCH) system. If the Executive Director does not act within the 56-day period, the proposed change shall be considered disapproved.
- b) The Executive Director shall, within 7 days of any action taken by him or of passage of the 56-day period noted in Section 1550.40(a), give written notice of that action or disapproval to the agency making the proposal, the Director of State Police, and the other Authority members. The Executive Director shall, consistent with Section 1550.50(c), set an effective date for approved proposals.
- c) If the Executive Director has taken no action during the 56-day period, the party making the proposal or the Department of State Police may, within 14 days of the date notice of the Executive Director's disapproval is mailed pursuant to Section 1550.40(b), submit the proposal to the Chairman of the Authority.

Section 1550.50 Appealing Form and Manner

- a) The party proposing a change and the Department of State Police may appeal any action of the Executive Director, in writing, within 14 days of the date notice of the Executive Director's action or disapproval is mailed pursuant to Section 1550.40(b). Such an appeal shall be directed to the Chairman of the Authority and shall contain specific reasons why the action of the Executive Director should be modified.
- b) If, within 14 days of receipt by Authority members of notice of the Executive Director's action or disapproval, a request to convene a special meeting of the Authority is made by 5 Authority members in accordance with the Organizational Rules of the Authority (2 Ill. Adm. Code 1750.340), then a special meeting of the Authority shall be convened for the purpose of fully discussing such action or disapproval taken by the Executive Director and to supersede the

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- authorization granted to the Executive Director to act upon the Authority's behalf.
- c) For any proposal not appealed or submitted to the Authority Chairman, or superseded by Authority action, pursuant to Section 1550.50(a) and (b), the Executive Director's action or disapproval shall be deemed the final action of the Authority. Those proposals so approved by the Executive Director shall take effect on a date specified by the Executive Director but not before all opportunities for appeal or submission to the Chairman of the Authority or other intervening Authority action pursuant to Section 1550.50(e) have expired.
 - d) When any proposal is properly appealed pursuant to Section 1550.50(a) or submitted to the Chairman of the Authority pursuant to Section 1550.40(c), the Executive Director's decision relating to that proposal shall be suspended pending action by the Authority.
 - e) Any proposal properly appealed or submitted to the Chairman of the Authority shall be placed on the agenda of the next regular meeting of the Authority. At that meeting the Authority shall rule on the proposal; refer the proposal to a standing or ad hoc committee of the Authority (in accordance with the Organizational Rules of the Authority, 2 Ill. Adm. Code 1750.340) for review and to report back to the Authority with the committee recommendations; or require that the parties involved submit other additional analysis, documentation, explanation, clarification or review of the proposal. Any review procedure utilized shall be based on the same standards used by the Executive Director in considering the proposal as set forth in Section 1550.40(a) and provide an opportunity for the agency that made the proposal, the Department of State Police, and any other affected criminal justice agency to make comment to the Authority Committee so assigned the proposal and shall be placed on the agenda of the next regular meeting of the Authority.
 - f) Those proposals so approved by the Authority shall take effect on a date established by the Authority.

Section 1550.60 Notification of Agencies

- a) No change in the form and manner of the reports required by Section 2.1 of "AN ACT in relation to criminal identification and investigation" (Ill. Rev. Stat. 1985, ch. 38, par. 206-2.1), shall be announced or implemented by any criminal justice agency until after approval is granted pursuant to these rules.
- b) Within 7 days of the approval of the form and manner of the reports, the Executive Director of the Authority shall inform the Director of State Police. The Department of State Police shall, at least 14 days prior to the specified effective date, notify those agencies affected by the approval decision.

Section 1550.70 Responsibility for Printing and Distribution

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED REPEALER

- a) The Department of State Police shall be responsible for printing a sufficient number of forms and related instruction sheets and for distributing them to the appropriate agencies in quantities as needed.
- b) The Department of State Police shall be responsible for initiating reprint orders before a stock of forms has been depleted.
- c) The Department of State Police shall be responsible for assuring that all forms are printed in compliance with the rules of the Forms Management Center and the requirements of the Forms Management Program Act (Ill. Rev. Stat 1985, ch. 127, par. 1401 et seq.).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Department Revocation Procedures
- 2) Code Citation: 17 Ill. Adm. Code 2530
- 3) Section Numbers: Proposed Action:
2530.230 Amendment
- 4) Statutory Authority: Implementing and authorized by Section 20-105 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/20-105], Section 3-36 of the Wildlife Code [520 ILCS 5/3-36], Sections 4 and 5 of the Illinois Endangered Species Protection Act [520 ILCS 10/4 and 5], Section 3B-8 of the Boat Registration and Safety Act [625 ILCS 45/3B-8] and the Illinois Administrative Procedure Act [5 ILCS 100] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625], Section 1.5 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/1.5] and Section 1.4 of the Wildlife Code [520 ILCS 5/1.4].
- 5) A Complete Description of the Subjects and Issues Involved: In recent meetings with the Illinois Forestry Development Council and the Illinois Wood Products Association, several concerns were raised regarding the inclusion of the Forest Products Transportation Act (225 ILCS 740) within the point system for revocations/suspensions. Chief among these concerns is that 1) application of this Act within the point system would treat timber buyers unequally (in that large scale buyers who hire haulers are not subject to accruing points for transportation convictions, while small scale buyers who haul their own timber are subject to accruing points for transportation violations), 2) there is no specific license required by the Department for forest products transportation and 3) the statutory authority for revoking a timber buyer's license for violations of the Forest Products Transportation Act is either unclear or non-existent. It has been agreed, therefore, to remove the Forest Products Transportation Act from the point system for revocation/suspension.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787
217/782-1809

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: This amendment will eliminate an anticipated effect on small businesses. Small business timber buyers tend to haul their own logs, while large timber buyers tend to contract log hauling to trucking companies. Since the trucking companies do not have a timber buyer's license to lose, and the buyer is not responsible for trucking company paperwork, the large buyer does not run the risk of losing his license for improper bills of lading or log books, while the small buyer does.

B) Reporting, bookkeeping or other procedures required for compliance: No change

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER f: ADMINISTRATIVE SERVICES

PART 2530

DEPARTMENT REVOCATION PROCEDURES

SUBPART A: GENERAL RULES

| Section | |
|---------|---------------------|
| 2530.10 | Applicability |
| 2530.20 | Definitions |
| 2530.30 | Filing |
| 2530.40 | Documents |
| 2530.50 | Computation of Time |
| 2530.60 | Appearances |

SUBPART B: SUMMARY REVOCATION/SUSPENSION

| Section | |
|----------|--|
| 2530.110 | Applicability (Recodified) |
| 2530.130 | Rules Proposed by Member of Public (Recodified) |
| 2530.140 | Authorization of Hearing (Recodified) |
| 2530.150 | Notice of Hearing (Recodified) |
| 2530.160 | Hearing Officer (Recodified) |
| 2530.180 | Written Submission (Recodified) |
| 2530.190 | Record (Recodified) |
| 2530.200 | Revision of Proposed Rules (Recodified) |
| 2530.210 | Filing and Publication of Final Rules (Recodified) |
| 2530.220 | Applicability |
| 2530.230 | Point System |
| 2530.240 | Points |
| 2530.250 | Groups |
| 2530.260 | Computation of Suspension Period |
| 2530.270 | Procedures |
| 2530.280 | Appeal and Hearing |

SUBPART C: HEARINGS OF CONTESTED CASES

| Section | |
|----------|------------------------------|
| 2530.310 | Applicability |
| 2530.320 | Initiation of Proceedings |
| 2530.330 | Parties |
| 2530.340 | Notice and Complaint |
| 2530.350 | Service |
| 2530.360 | Notice of Hearing |
| 2530.370 | Prehearing Conferences |
| 2530.380 | Authority of Hearing Officer |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

2530.390 Order of Enforcement Hearings
 2530.400 Official Notice
 2530.410 Default
 2530.420 Evidence
 2530.430 Motions and Answers
 2530.470 Record
 2530.480 Briefs and Oral Arguments
 2530.482 Disposition
 2530.484 Compelling Appearance at Hearing
 2530.486 Recording of Hearing
 2530.490 Decision and Order

AUTHORITY: Implementing and authorized by Section 20-105 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/20-105], Section 3.36 of the Wildlife Code [520 ILCS 5/3.36], Sections 4 and 5 of the Illinois Endangered Species Protection Act [520 ILCS 10/4 and 5], Section 3B-8 of the Boat Registration and Safety Act [625 ILCS 45/3B-8] and the Illinois Administrative Procedure Act [5 ILCS 100] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625], Section 1.5 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/1.5], and Section 1.4 of the Wildlife Code [520 ILCS 5/1.4].

SOURCE: Filed December 21, 1977; effective December 31, 1977; codified at 5 Ill. Reg. 10664; amended at 6 Ill. Reg. 10687, effective August 25, 1982; Subpart B recodified to 2 Ill. Adm. Code 825: Subpart B at 8 Ill. Reg. 4133, effective March 19, 1984; amended at 10 Ill. Reg. 20201, effective November 25, 1986; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 25 Ill. Reg. 3659, effective February 26, 2001; amended at 25 Ill. Reg. _____, effective _____.

Section 2530.230 Point System

Any person found guilty by a circuit court of the State of Illinois (including supervision or conditional discharge) or a United States District Court in an Illinois District of an offense that is a violation of any of the provisions of the Fish and Aquatic Life Code [515 ILCS 5], the Wildlife Code [520 ILCS 5], the Timber Buyers Licensing Act [225 ILCS 735], the ~~Forest~~ ~~Products~~ ~~Transportation~~ ~~Act~~ ~~---{225--theS-740}~~ the Ginseng Harvesting Act [525 ILCS 20], the Endangered Species Act [520 ILCS 10], or any similar violation of federal statutes or rules, shall be assessed points as set out in Section 2530.240. Licenses, permits and stamps shall be revoked, and privileges shall be suspended, based upon the accumulated points.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Taking of Wild Turkeys - Spring Season
- 2) Code Citation: 17 Ill. Adm. Code 710
- 3) Section Numbers:
 710.10 Amendment
 710.20 Amendment
 710.22 Amendment
 710.25 Amendment
 710.30 Amendment
 710.50 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to update season dates; open additional counties to hunting; update turkey permit requirements to add language indicating that resident permit applications will receive preference over non-resident applications; add language indicating that landowners/tenants not residing on their property must possess a valid hunting license, and change shareholder information to include bona-fide equity shareholders; add Joliet Army Training Area to the sites with special hunts; add information regarding leg tags; and update site regulations and add additional sites.
- 6) Will these rulemaking replace any emergency rulemaking currently in effect? No
- 7) Do these rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
 Department of Natural Resources
 524 S. Second Street
 Springfield IL 62701-1787
 217/782-1809

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER e: LAW ENFORCEMENT

PART 710

THE TAKING OF WILD TURKEYS - SPRING SEASON

Section

| | |
|--------|--|
| 710.5 | Hunting Zones |
| 710.10 | Hunting Seasons |
| 710.20 | Statewide Turkey Permit Requirements |
| 710.21 | Turkey Permit Requirements - Special Hunts (Renumbered) |
| 710.22 | Turkey Permit Requirements - Landowner/Tenant Permits |
| 710.25 | Turkey Permit Requirements - Special Hunts |
| 710.28 | Turkey Permit Requirements - Heritage Youth Turkey Hunt (Repealed) |
| 710.30 | Turkey Hunting Regulations |
| 710.40 | Other Regulations (Repealed) |
| 710.50 | Regulations at Various Department Owned or Managed Sites |
| 710.55 | Special Hunts for Disabled Hunters |
| 710.60 | Releasing or Stocking of Turkeys |

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

SOURCE: Adopted at 4 Ill. Reg. 15, p. 153, effective April 1, 1980; codified at 5 Ill. Reg. 10643; amended at 6 Ill. Reg. 3852, effective March 31, 1982; amended at 7 Ill. Reg. 4208, effective March 25, 1983; amended at 8 Ill. Reg. 5663, effective April 16, 1984; amended at 9 Ill. Reg. 6200, effective April 24, 1985; amended at 10 Ill. Reg. 6848, effective April 4, 1986; amended at 11 Ill. Reg. 2267, effective January 20, 1987; amended at 12 Ill. Reg. 5342, effective March 8, 1988; amended at 13 Ill. Reg. 5090, effective April 4, 1989; amended at 14 Ill. Reg. 663, effective January 2, 1990; amended at 15 Ill. Reg. 4161, effective March 4, 1991; amended at 16 Ill. Reg. 1843, effective January 17, 1992; amended at 17 Ill. Reg. 3184, effective March 2, 1993; amended at 18 Ill. Reg. 1156, effective January 18, 1994; emergency amendment at 18 Ill. Reg. 3751, effective March 1, 1994, for a maximum of 150 days; emergency expired July 29, 1994; amended at 19 Ill. Reg. 2450, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5312, effective April 1, 1995, for a maximum of 150 days; emergency expired August 29, 1995; amended at 20 Ill. Reg. 777, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 3125, effective March 3, 1997; amended at 22 Ill. Reg. 2192, effective January 2, 1998; amended at 22 Ill. Reg. 19568, effective October 23, 1998; amended at 23 Ill. Reg. 11956, effective September 21, 1999; amended at 24 Ill. Reg. 7984, effective May 24, 2000; amended at 24 Ill. Reg. 17778, effective November 27, 2000; amended at 25 Ill. Reg. _____, effective _____.

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Section 710.10 Hunting Seasons

a) Northern Zone Season Dates:

- 1st Season: Monday, April 15th - Friday, April 19, 2002 ~~2001~~
- 2nd Season: Saturday, April 20th - Thursday, April 25, 2002 ~~2001~~
- 3rd Season: Friday, April 26th - Wednesday, May 1, 2002 ~~Friday, May 4, 2001~~
- 4th Season: Thursday, May 2 - Wednesday, May 8, 2002 ~~Saturday, May 5 - Wednesday, May 10, 2001~~
- 5th Season: Thursday, May 9 - Thursday, May 16, 2002

b) Southern Zone Season Dates:

- 1st Season: Monday, April 8th - Friday, April 12, 2002 ~~1999~~
- 2nd Season: Saturday, April 13th - Thursday, April 18, 2002 ~~19-2001~~
- 3rd Season: Friday, April 19th - Wednesday, April 24, 2002 ~~Friday, April 27-2001~~
- 4th Season: Thursday, April 25 - Wednesday, May 1, 2002 ~~Saturday, April 28 - Wednesday, May 3, 2001~~
- 5th Season: Thursday, May 2 - Thursday, May 9, 2002

c) Open Counties:

- NORTHERN ZONE
- Adams
Boone
Brown
Bureau
Calhoun
Carroll
Cass
Champaign
Christian
Clark
Coles
Cumberland

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- DeKalb
Dewitt
Edgar
Fulton
Greene
Grundy
Hancock
Henderson
Henry
Iroquois
Jersey
Jo Daviess
Kankakee
Kendall
Knox
LaSalle
Lee
Livingston
Logan
Macon
Macoupin
Marshall-Putnam
Mason
McDonough
McHenry
McLean
Menard
Mercer
Montgomery
Morgan
Moultrie
Ogle
Peoria
Piatt
Pike
Rock Island
Sangamon
Schuyler
Scott
Shelby
Stark
Stephenson
Tazewell
Vermilion
Warren
Whiteside
Will
Winnebago

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Woodford
SOUTHERN ZONE
Alexander
Bond
Clay
Clinton
Crawford
Edwards
Effingham
Fayette
Franklin
Hamilton
Gallatin-Hardin
Jackson
Jasper
Jefferson
Johnson
Lawrence
Madison
Marion
Massac
Monroe
Perry
Pope
Pulaski
Randolph
Richland
Saline
St. Clair
Union
Wabash
Washington
Wayne
White
Williamson

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 710.20 Statewide Turkey Permit Requirements

- a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Natural Resources for a fee of \$15.00. Non-resident turkey hunters shall be charged the maximum fee as allowed by Section 2.11 of the Wildlife Code [520 ILCS 5/2.11] \$75.00 for each the-first wild turkey hunting permit--and--\$25.00--for--each--additional--permit. All hunters Residents, except those exempted by Section 3.1 of the Wildlife Code

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[520 ILCS 5/3.1] are also required to obtain a hunting license before hunting wild turkey. Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits must be mailed to:
Department of Natural Resources - Turkey
524 S. Second Street, Room 210
P.O. Box 19446
Springfield, Illinois 62794-9446

- b) Applicants must complete all portions of the permit application form. Incomplete applications will be rejected and fees returned. Each applicant must submit a personal check or money order for his/her individual application. Not more than 4 applications may be submitted for group hunters. Applicants submitting applications within three weeks of the season will not be guaranteed receipt of permit by start of season.
- c) Applications from Illinois residents will be accepted through December 1. Applications received in the permit office after December 1 will be included in the next computerized drawing. All requests must be on an official application form. Permits are not transferable and refunds will not be granted. Permits will be allocated in a computerized drawing to be held in Springfield. Applicants rejected in this drawing will receive preference in the next year's drawing for spring season permits subject to guidelines outlined in subsection (g).
- d) Permits not issued during the first computerized drawing will be available in a second computerized lottery drawing. Applications for this drawing will be accepted through the first working day after January 10. Applications received after this date will be included in the next drawing. All hunters not receiving a permit in the first computerized drawing and non-residents may apply at this time for the available permits. All resident permit applications will receive preference over non-resident applications.
- e) Any hunter who has not received a permit, and hunters that have received only one permit, may apply for a first or a second permit in a third computerized lottery drawing for the remaining permits. All resident permit applications will receive preference over non-resident applications. Applications for this third drawing will be accepted through the first working day after February 8. Applications received after this date will be included in the next drawing.
- f) Permits remaining after the three lotteries will be available in a random daily drawing that begins the first working day after March 8. All applications received on or before the first working day after March 8 will be processed in the first daily drawing. This drawing period is open to hunters applying for their first, second, or third permits.
- g) The following criteria must be met to obtain preference in the first computerized drawing:
1) The applicant must apply using the official agency application.

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- 2) The applicant must be a resident of the State, be eligible to receive a spring turkey permit, and not had turkey hunting privileges revoked.
- 3) The applicant must apply for the same county and season choices which he/she listed on the previous year's application. Preference will not be granted for special hunt areas as listed in Section 710.25 or for permit areas listed in Section 710.50(c).
- h) A \$3 service fee will be charged for replacement permits issued by the Department.
- i) The periods for accepting applications for the first three lotteries may be extended if applications are not available to the public by November 1. A news release will announce the extension of the application periods.
- j) It shall be unlawful to:

- 1) Submit applications before the second computerized lottery drawing for more than one permit for the same person, and thereafter, submittal of applications for receiving more than three permits for the same person.
- 2) Submit applications before the third computerized lottery drawing for more than two permits for the same person.
- 3) Apply for or receive more than three permits for the spring turkey season.
- 4) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this section shall have their application rejected, permit revoked, and fees forfeited.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 710.22 Turkey Permit Requirements - Landowner/Tenant Permits

- a) The "immediate family" is defined as the spouse, children, and parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.
- c) Resident landowners who own 40 acres or more of land, and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family may apply for one free turkey permit for their property only in counties open for turkey hunting. ~~All--resident--landowners/tenants--that--do--not--reside--on--the--property--must--possess--a--valid--hunting--license.~~ Non-resident Illinois landowners of 40 or more acres of land and members of their immediate

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- family are eligible to receive a permit for their property only for a fee of \$37.50. All landowners/tenants that do not reside on the property must possess a valid hunting license.
- d) Landowners or tenants are not required to participate in the public drawing for permits. Landowner/tenant permits are valid for the entire 3231 days encompassed by the 54 seasons, but allow the taking of only one wild turkey. This turkey hunting permit shall be valid on all lands the permit holder owns, leases, or rents in counties open for spring turkey hunting.
- e) Recipients of Landowner/Tenant permits to hunt their owned or leased property may apply for a second permit in the third lottery (the first working day after February 8), and a third permit in the Random Daily Drawing period that begins the first working day after March 8. Fees for these additional permits shall be \$15 for residents and the maximum fee as allowed by Section 2.11 of the Wild Life Code [520 ILCS 5/2.11] \$25 for nonresidents.
- f) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:
- 1) Submittal of a copy of property deed;
 - 2) Submittal of a copy of contract for deed;
 - 3) Submittal of copy of most recent real estate tax statement upon which landowner's name appears;
 - 4) Submittal of a copy of a Farm Service Agency 156EZ form; or
 - 5) Submittal of a copy of trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.
- g) If you are applying for a tenant permit, you are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
- 1) Submittal of a copy of a lease (not a hunting rights lease) or rental agreement, file stamped as recorded by the County Clerk, covering the current year; or
 - 2) Submittal of a copy of a Farm Service Agency 156EZ form.
- h) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate families may receive turkey permits.
- i) Bona fide equity shareholders ~~Shareholders~~ of corporations or bona fide equity members of limited liability companies owning 40 or more acres of land in a county may apply for a free permit to hunt the corporation or limited liability company lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, shall be issued based on ownership of lands by corporations or limited liability companies. Lands leased to corporations or limited liability companies shall not be considered as a basis for a free permit for the shareholders/members of the lessee. Lands held in trust by corporations or limited liability companies shall not be

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considered as a basis for a free permit by the shareholders/members of the trustee. If application is made for a free permit based upon lands owned by the corporation or limited liability company, a duly authorized officer of the corporation or limited liability company must sign a notarized statement authorizing the applicant to hunt on the corporate or company lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder or member as defined in this subsection, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation or limited liability company lands. This document must be attached to the application upon submittal to the Permit Office. This shareholder/member turkey permit shall be free to eligible residents and the cost to eligible nonresidents shall be \$37.50.

1) Bona fide equity shareholder means an individual who:

A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and

B) intends to retain the ownership of the shares of stock for at least 5 years.

2) Bona fide equity member means an individual who:

A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act [805 ILCS 180]; and

B) intends to retain the membership for at least 5 years.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 710.25 Turkey Permit Requirements - Special Hunts

a) Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for turkey hunting, which issue turkey hunting permits through the statewide lottery process. The Permit Office issues turkey hunting permits through a computerized drawing for sites listed

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below, in addition to the Department-owned or -managed sites listed in Section 710.50(c).

Crab Orchard National Wildlife Refuge (check-in and check-out required at Visitor Information Center, windshield card required, area closed 1/2 hour after sunset to 1 1/2 hours before sunrise, scouting allowed after noon including the afternoon of the day prior to the permitted hunting season)

Joliet Army Training Area (Will County) (check-in and check-out required at central check station; an additional turkey permit must be purchased from the Joliet Army Training Area)

Savanna Army Depot (Jo Daviess County)

b) Each applicant must enclose a separate fee (check or money order) payable to the Department of Natural Resources, or the application will be returned. Applicants should not send cash with their applications. The Department will not be responsible for cash sent though the mail.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 710.30 Turkey Hunting Regulations

It is unlawful:

a) to use live or electronic turkey decoys, recorded calls, dogs, or bait (an area is considered as baited during the presence of and for 10 consecutive days following the removal of the bait);

b) to take any wild turkey except a hen with a visible beard or a gobbler (male);

c) to take, or attempt to take, more than three wild turkeys during the spring season, one must have a valid permit for each turkey that is taken;

d) to use any weapon except a shotgun or bow and arrow. #4 shot is the largest and #7 1/2 is the smallest size shot that may be legally used. Archers may use a long, recurved, or compound bow with a minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches and broadheads must be used. Broadheads may have fixed or expandable blades, but they must be barbed and have a minimum 7/8 inch diameter when fully opened. Broadheads with fixed blades must be metal or flint-, chert-, or obsidian-knapped; broadheads with expandable blades must be metal. Any mechanical device capable of maintaining a drawn position or partially drawn position on a bow is illegal. All other bows and arrows, including electronic arrow tracking systems, are illegal;

e) to hunt except from 1/2 hour before sunrise to 1:00 p.m. noon during

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- each day of the season;
- f) for any person having taken the legal limit of wild turkeys to further participate with a weapon in any hunting party for the purpose of taking additional wild turkeys;
- g) for any person to possess while in the field during wild turkey season any turkey permit issued to another person (permits are non-transferable);
- h) to transport or leave a wild turkey without first affixing the adhesive-backed turkey permit securely around the leg. Immediately before the turkey is moved, transported or field dressed, the hunter must cut out the designated notch on the leg tag to invalidate it, and the tag must be affixed to the turkey. Successful hunters must register their harvest by 3:00 a.m. on the same calendar day as the turkey was taken by calling the toll-free telephone number provided with their turkey hunting permit. Hunters must provide all information requested by the telephone check-in system, and will be provided with a confirmation number to verify that they checked in their harvest. The confirmation number must be written by the hunter onto the leg tag. The leg tag must remain attached to the leg of the turkey until it is at the legal residence of the person who legally took or possessed the turkey and the turkey has been checked in. The turkey must remain whole (or field dressed) until it has been checked in;
- i) for any person to shoot a wild turkey while it is in a tree before 7:00 a.m.;
- j) for any person to hunt wild turkeys without possessing a Wild Turkey Hunting Permit which shall include the hunter's signature recorded on the permit and carried on the person while hunting, except that a person without a weapon may accompany a turkey hunter as a caller or observer;
- k) for any person to use a turkey call that imitates sounds made by a turkey or to attempt to call a turkey by making these sounds while in the field in the Southern Zone from March 15 through the day before the 1st turkey season and in the Northern Zone from March 22 through the day before the 1st turkey season. This prohibition only applies in counties open to spring turkey hunting. This prohibition does not apply to participants in the Youth Turkey Season with a valid permit, or their accompanying adult, during that season as prescribed by 17 Ill. Adm. Code 695 - Youth Hunting Seasons.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 710.50 Regulations at Various Department Owned or Managed Sites

- a) Hunters who intend to hunt Department sites and who have a physical disability that requires special accommodations must contact the site superintendent at least 10 days before the date they wish to hunt.

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- The site superintendent shall make reasonable accommodations necessary to allow the disabled person to participate in the hunting experience at the site. Disabled hunters who require an aide or assistant with them during the hunt are responsible for providing the aide or assistant and notifying the site superintendent that an assistant will be present, and whether the assistant will also be hunting.
- b) Hunters must sign in/sign out at all sites in subsections (c) and (d) which are followed by a (1).
- c) Statewide regulations shall apply for the following sites:

Anderson Lake Conservation Area (1)

Argyle Lake State Park (1)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

Carlyle Lake Wildlife Management Area

Cypress Pond State Natural Area (1)

Dog Island Wildlife Management Area (1)

Ferne Clyffe State Park - Cedar Draper Bluff Hunting Area (1)

Fort de Chartres State Historic Site (muzzleloading shotgun or archery only) (1)

Franklin Creek State Park (1)

Giant City State Park (1)

Horseshoe Lake Conservation Area - Alexander County (controlled goose hunting area and public hunting area only) (1)

I-24 Wildlife Management Area (1)

Jubilee State Park (archery only) (1)

Kaskaskia River State Fish and Wildlife Area (except for that area lying north of Highway 154, east of the Kaskaskia River, and south of the Risdon School Road and Beck's Landing access road, a handicapped hunter with a P-2 handicapped certification, accompanied by a non-hunting attendant, can hunt at the site's designated handicapped hunting spot within this closed area. The hunting spot will be allocated on a first-come, first-served basis or via a drawing, if needed, held at the site office) (1)

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Kinkaid Lake Fish and Wildlife Area (1)

Mark Twain National Wildlife Refuge, Gardner Division

Midewin National Tallgrass Prairie (an additional \$15 site hunting fee must be purchased from the U.S. Forest Service prior to hunting) (1)

Mississippi River Fish and Wildlife Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18, 21, 22, and 24

Oakford Conservation Area

Pere Marquette State Park (designated area only) (1)

Ray Norbut Fish and Wildlife Area (1)

Rend Lake Project Lands and Waters except Wayne Fitzgerald State Park

Saline County Fish and Wildlife Area (1)

Sanganois Conservation Area (site issued free permit required)

Sielbeck Forest State Natural Area (1)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area - Firing Line Unit and Public Hunting Area only (1)

Weinberg-King State Park (1)

Wildcat Hollow State Forest (1)

d) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 710.20. This permit is only valid for the specific site and season indicated on the permit.

Apple River Canyon State Park - Thompson and Salem Units (1)

Beaver Dam State Park

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Big Bend State Fish and Wildlife Area (1)

Big River State Forest (1)

Castle Rock State Park (1)

Clinton Lake State Recreation Area ††

Coffeen Lake State Fish and Wildlife Area

Crawford County Conservation Area

East Conant

Ferne Clyffe Hunting Area (1)

Fort Massac State Park (Youth Ages 10-15 only) (1)

Fox Ridge State Park (1)

Green River State Wildlife Area (1)

Hamilton County Conservation Area

Harry 'Babe' Woodyard State Natural Area (1)

Hidden Springs State Forest (first 2 seasons only) (1)

Horseshoe Lake State Park (Madison County)

Hurricane Creek Habitat Area (must have Fox Ridge State Park permit) (1)

Jim Edgar Panther Creek State Fish and Wildlife Area

Jim Edgar Panther Creek State Fish and Wildlife Area West Open Unit

Johnson-Sauk Trail State Park (1)

Kankakee River State Park (hunting hours are from one-half hour before sunrise until 12:00 noon) (1)

Kickapoo State Park (1)

Lake Shelbyville-Corps of Engineers Managed Lands (Shelby County)

Lake Shelbyville-Corps of Engineers Managed Lands (Moultrie

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County and Kaskaskia and Okaw Wildlife Management Areas

Lowden Miller State Forest (1)

Mackinaw River Fish and Wildlife Area (1)

Marseilles Fish and Wildlife Area (site is open to hunting Monday through Thursday only; hunting hours are from one-half hour before sunrise until 8:30 a.m.) (1)

Marshall Fish and Wildlife Area (1)

Mermet Lake State Fish and Wildlife Area (1)

Middlefork State Fish and Wildlife Management Area (1)

Mississippi Palisades State Park (closes after the second Sunday of the fourth season; fourth season permits will be limited to those remaining after the disabled hunt drawing) (1)

Momence Wetlands (1)

Newton Lake Fish and Wildlife Area

Pere Marquette State Park (Piasa, Quotoga, Potawatomi Camp Areas) (no hunting allowed on weekends)

Pyramid State Park (1)

Ramsey Lake State Park (1)

Randolph County Conservation Area (a handicapped hunter with a p-2 handicapped certification, accompanied by a non-hunting attendant, wanting to hunt at one of the site's two designated handicapped hunting spots is not required to have a site-specific permit. These hunting spots will be allocated on a first-come, first-serve basis or via a drawing, if needed, held at the site office) (1)

Red Hills State Park/Chauncey Marsh

Sahara Woods (1)

Sam Dale Lake Conservation Area (1)

Sam Parr State Park

Sand Ridge State Forest

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Sangamon County Conservation Area

Sanganois Conservation Area (Squirrel Timber Unit) (1)

Sangchris Lake State Park †††

Sato

Siloam Springs State Park (1)

Siloam Springs State Park (Buckhorn Unit) (1)

Site M

Stephen A. Forbes State Park (1)

Tapley Woods State Natural Area (1)

Ten Mile Creek Fish and Wildlife Area

Witkowsky State Wildlife Area (1)

Wolf Creek State Park (first 2 seasons only) (1)

(Source: Amended at 25 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers:
148.410 New Section
148.420 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) Complete Description of the Subjects and Issues Involved: These proposed amendments to the Department's administrative rules on hospital services pertain to the Sexual Assault Survivors Emergency Treatment Program. Two new Sections are being added to the rules that provide definitions and describe covered emergency treatment services, billing and reimbursement, hospital eligibility requirements and recordkeeping. The purpose of the Program is to reimburse ambulance providers, certified Illinois transfer centers (hospitals) and treatment hospitals for emergency services to alleged assault survivors who are not eligible for the Department's Medical Assistance Program nor covered for such services by a policy of insurance.

Sexual assault treatment services are required under the Sexual Assault Survivors Emergency Treatment Act (410 ILCS 70). The program had been administered by the Department of Public Health but in recent years, amendments to the Act have imposed requirements upon the Department to establish rules for reimbursement to hospitals and ambulance providers for services provided to alleged sexual assault survivors [410 ILCS 70/6.3 and 7]. The Department of Public Health retains hospital related responsibilities for licensing, approval of emergency treatment plans, plans of correction, periodic on site reviews and evidence collection.

Under these proposed amendments, providers of ambulance services and outpatient emergency room and transfer services shall furnish services without charge to any alleged sexual assault survivor and shall be entitled to reimbursement from the Department when all conditions concerning eligibility, billing limitations and documentation have been met.

These proposed amendments will not result in any budgetary changes for the Department. Expenditures for the program during fiscal year 2001 were approximately \$640,000.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No

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- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes
- | Sections | Proposed Action | Illinois Register Citation |
|----------|-----------------|----------------------------|
| 148.82 | Amendment | 25 Ill. Reg. 4124, 3/23/01 |
| 148.285 | Amendment | 25 Ill. Reg. 7536, 6/22/01 |
| 148.310 | Amendment | 25 Ill. Reg. 5254, 4/13/01 |
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217)524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Providers of ambulance services and hospitals that provide transfer services or emergency treatment for alleged sexual assault survivors will be affected by this proposed rulemaking. The Department is unsure whether any of the affected entities may

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qualify as small businesses.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on Which this Rulemaking Was Summarized: January 2001

The full text of the Proposed Amendments begins on the next page:

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1) Heading of the Part: Rights and Responsibilities

2) Code Citation: 89 Ill. Adm. Code 102

3) Section Numbers:
102.230 Proposed Action:
Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) A Complete Description of the Subjects and Issues Involved: These proposed amendments pertain to the rights and responsibilities of clients covered under the Department's Medical Assistance Program. The Department has a statutory right to recover assistance provided to clients through liens against clients' homestead property or other real property interests. The proposed changes strike a provision that bars the Department from filing liens against out-of-State property owned by residents of long term care facilities who are receiving Medicaid and recipients of the AABD (aid to the aged, blind, disabled) cash assistance program. Although AABD is administered by the Department of Human Services, Public Aid handles the lien operations for both Medicaid and cash assistance programs. However, virtually all lien collections are related to Medicaid.

Until recently, staff of the Department's Bureau of Collections (BOC) were unaware of the prohibition in Section 102.230 on liens, for the recovery of assistance, against property located outside of Illinois. The Illinois Public Aid Code has never imposed such a restriction on liens and federal Medicaid regulation on liens and recoveries does not prevent a Medicaid program from filing liens against out-of-State property. Since 1996, the Department has identified and liened client owned out-of-State property. As of May 2001, over 200 such liens have generated collections of approximately \$500,000.

The origin of the prohibition on out-of-State liens in Section 102.230 is unknown. It may have resulted from an operational decision made many years ago on the basis of limited administrative resources. The adoption of these proposed amendments will permit the imposition of liens on out-of-State property and thereby promote the Department's recovery efforts.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217)524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: This rulemaking was not anticipated by the Department when the most recent regulatory agendas were published.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 102
RIGHTS AND RESPONSIBILITIES

Section

| | |
|---------|--|
| 102.1 | Incorporation By Reference |
| 102.10 | Rights of Clients |
| 102.20 | Nondiscrimination |
| 102.21 | Voter Registration |
| 102.25 | Grievance Rights of Clients |
| 102.30 | Confidentiality of Case Information |
| 102.35 | Case Records |
| 102.40 | Freedom of Choice |
| 102.50 | Reporting Change of Circumstances |
| 102.60 | Referral Requirements |
| 102.63 | Reporting Child Abuse/Neglect |
| 102.66 | Suitability of Home |
| 102.70 | Notice to Client |
| 102.80 | Right to Appeal |
| 102.81 | Continuation of Assistance Pending Appeal |
| 102.82 | Time Limit for Filing an Appeal |
| 102.83 | Examining Department Records |
| 102.84 | Child Care |
| 102.90 | Voluntary Repayment of Assistance |
| 102.100 | Excess Assistance (Recodified) |
| 102.110 | Recoupment of Overpayments (Recodified) |
| 102.120 | Correction of Underpayments |
| 102.200 | Recovery of Assistance |
| 102.210 | Estate Claims |
| 102.220 | Real Property Liens |
| 102.230 | Filing and Renewal of Liens |
| 102.235 | Liens on Property of Institutionalized Recipients |
| 102.240 | Foreclosure of Liens |
| 102.250 | Release of Liens |
| 102.260 | Personal Injury Claims |
| 102.270 | Convictions of Fraud - Eligibility |
| 102.280 | Single Conviction of Fraud - Administrative Review Board |

AUTHORITY: Implementing Article XI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. XI and 12-13].

SOURCE: Filed and effective December 31, 1977; peremptory rule at 2 Ill. Reg. 52, p. 449, effective December 13, 1978; amended at 2 Ill. Reg. 52, p. 462, December 23, 1978; peremptory amendment at 3 Ill. Reg. 11, p. 39, effective March 1, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

amended at 3 Ill. Reg. 43, p. 196, effective October 15, 1979; amended at 5 Ill. Reg. 8035, effective July 27, 1981; amended at 5 Ill. Reg. 10775, effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 7 Ill. Reg. 8350, effective July 1, 1983; amended at 8 Ill. Reg. 18910, effective September 26, 1984; amended at 9 Ill. Reg. 327, effective December 31, 1984; amended at 9 Ill. Reg. 3730, effective March 13, 1985; amended at 9 Ill. Reg. 6812, effective April 26, 1985; amended at 9 Ill. Reg. 7162, effective May 1, 1985; amended at 9 Ill. Reg. 13091, effective August 16, 1985; amended at 9 Ill. Reg. 14704, effective September 13, 1985; amended at 9 Ill. Reg. 15912, effective October 4, 1985; amended at 10 Ill. Reg. 3981, effective February 22, 1986; amended at 10 Ill. Reg. 14795, effective August 29, 1986; amended at 10 Ill. Reg. 19088, effective October 24, 1986; Sections 102.100 and 102.110 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; amended at 11 Ill. Reg. 14067, effective August 10, 1987; amended at 11 Ill. Reg. 18239, effective October 30, 1987; amended at 12 Ill. Reg. 3735, effective February 5, 1988; amended at 13 Ill. Reg. 3940, effective March 10, 1989; amended at 14 Ill. Reg. 13279, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 20078, effective December 3, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 7202, effective April 30, 1991; amended at 18 Ill. Reg. 273, effective December 28, 1993; amended at 18 Ill. Reg. 8938, effective June 3, 1994; amended at 19 Ill. Reg. 1108, effective January 26, 1995; emergency amendment at 19 Ill. Reg. 12320, effective August 14, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 883, effective December 29, 1995; amended at 21 Ill. Reg. 619, effective January 1, 1997; emergency amendment at 21 Ill. Reg. 4037, effective March 14, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7438, effective June 1, 1997; amended at 21 Ill. Reg. 11955, effective August 13, 1997; amended at 24 Ill. Reg. 10294, effective July 1, 2000; amended at 25 Ill. Reg. _____, effective _____.

Section 102.230 Filing and Renewal of Liens

- a) The Department shall file a lien against:
 - 1) The homestead property owned by:
 - A) a recipient of AABD; or
 - B) a permanently institutionalized recipient of MANG(A), (B) or (D), except as provided in Section 102.235;
 - 2) Any other legal or equitable real property interests, regardless of value, which the recipient ~~owns~~ possesses-unless-the-property is-located-outside-the-State-of-Illinois; and
 - 3) Any mobile home, owned and occupied by a recipient as a homestead, for which a certificate of title is required by the Illinois Vehicle Title and Registration Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 3-100 et seq.) [625 ILCS 5/3].
- b) The lien shall be renewed every five years by the Department until it is satisfied.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

_____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Uniform Commercial Code
2) Code Citation: 14 Illinois Administrative Code 180

| Section Numbers: | Proposed Action: |
|------------------|------------------|
| 180.10 | Amendment |
| 180.11 | Amendment |
| 180.12 | Amendment |
| 180.13 | Amendment |
| 180.14 | Amendment |
| 180.15 | New Section |
| 180.16 | New Section |
| 180.17 | New Section |
| 180.18 | New Section |

- 4) Statutory Authority: Implementing and authorized by Article 9 of the Uniform Commercial Code [810 ILCS 5/Art. 9].

- 5) A Complete Description of the Subjects and Issues Involved: Article 9 of the Uniform Commercial Code was amended July 1, 2001, as a part of a nationwide effort by the National Conference of Commissioners on Uniform State Laws. The amendments made sweeping changes to the law in Illinois and several other states, with the purpose of bringing greater certainty to financing transactions. Section 5 of Article 9 charges the Secretary of State's office with the duty of accepting financing statements for filing and maintaining a recordkeeping system to allow quick and accurate searches by lenders and others.

- 6) Will this proposed rulemaking replace an emergency amendment currently in effect? Yes

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives:

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days after the date this notice is published. All comments must be in writing and should be sent to:

Raymond J. Watson
Assistant General Counsel
Office of the General Counsel
Howlett Building, Room 298

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Springfield, IL 62756
217-785-3094

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small business, small municipalities and not for profit corporations affected: All entities that pledge collateral to their lenders as security for financing.
- B) Reporting, bookkeeping, other procedures required for compliance: None

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: July 2001

The full text of the Proposed Amendment is identical to the Emergency Amendment appearing on page 9836 in this issue of the Illinois Register.

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Custodial Transportation of Pupils Where Walking Constitutes a Serious Safety Hazard
- 2) Code Citation: 92 Ill. Adm. Code 557
- 3) Section Numbers: Proposed Action:
557.100 Amend
557.110 Amend
557.120 Amend
557.130 Amend
557.140 Amend
557.150 Amend
557.160 Amend
- 4) Statutory Authority: Implementing and authorized by Section 29-5.2 of the School Code [105 ILCS 5/29-5.2].
- 5) A Complete Description of the Subjects and Issues Involved: By this Notice, the Department is proposing to amend, at the request of the Illinois State Board of Education, Part 557 as follows:

Section 557.100 is being updated and clarified.

Section 557.110 is being updated.

Section 557.120 is being revised to provide safety to all students in grades Kindergarten through 8th grade as one category since, under the current rule, many 7th and 8th graders do not qualify for reimbursement while 6th graders going to the same school over the same route do qualify. Many middle schools now contain pupils in grades 6 through 8.

Section 557.160 is being revised to add a provision that recognizes a temporary condition that could make a route more hazardous for a finite period of time. The revisions to this Section also clarify the review/approval process.

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These amendments do not affect units of local government.

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Joe Hill, Chief, Engineer of Operations
Illinois Department of Transportation
Division of Highways
2300 South Dirksen Parkway
Room 009
Springfield, Illinois 62764
(217) 782-7231

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Ms. Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation
2300 South Dirksen Parkway
Room 311
Springfield, Illinois 62764
(217) 782-3215

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER f: HIGHWAYS

PART 557

CUSTODIAL TRANSPORTATION OF PUPILS WHERE
WALKING CONSTITUTES A SERIOUS SAFETY HAZARD

Section
557.100 Purpose and-Scope

557.100 Definitions
557.110 Determination
557.120 Walking On or Along a Roadway (Type I Hazard)
557.130 Crossing a Roadway (Type II Hazard)
557.140 Crossing Railroad Tracks (Type III Hazard)
557.150 Procedures
557.160

AUTHORITY: Implementing and authorized by Section 29-5.2 of the School Code [105 ILCS 5/29-5.2].

SOURCE: Emergency rules adopted at 10 Ill. Reg. 14843, effective August 27, 1986, for a maximum of 150 days; emergency expired January 24, 1987; adopted at 11 Ill. Reg. 6514, effective March 27, 1987; Part repealed, new Part adopted at 14 Ill. Reg. 17016, effective October 2, 1990; amended at 25 Ill. Reg. _____, effective _____.

Section 557.100 Purpose and-Scope

This Part establishes guidelines and procedures for determining the existence of a serious safety hazards hazard encountered by pupils walking on or along roadways, crossing roadways and crossing railroad tracks. This determination allows Section-29-5.2-of-The-School-Code-~~that~~-Rev.-Stat.-1989-~~ch-~~-122-~~par-~~ 29-5.2-~~provides~~ for the State Board of Education to provide reimbursement of transportation costs to custodians of-pupils who choose to transport pupils residing within 1-1/2 miles from the school attended where vehicular traffic conditions are such that walking constitutes a serious hazard to the safety of the pupils7 and access to transportation provided entirely at public expense access-to-transportation-entirely-at-public-expense is not available [Section 29-5.2(c) of the School Code [105 ILCS 5/29-5.2(c)]]. Both custodians and qualifying pupils must be residents of the State of Illinois (Section 29-5.2(b)(1)(A) of the School Code ~~that~~-Rev.-Stat.-1989-~~ch-~~-122-~~par-~~ 29-5.2(b)(1)(A)). This-part-applies-to-serious-safety-hazards-encountered-by schoolchildren-walking-on-or-along-roadways,--crossing--roadways--and--crossing railroad-tracks.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 557.110 Definitions

The following words or phrases when used in this Part shall have the meanings ascribed to them below.

"Active Protection Warning" - Any protection warning device that is designed to be actuated by the approach of an oncoming train (including lights, bells and gates) or protection warning by a crossing guard.

"Crossbucks Only" - Protection Warning provided only by an "X" shaped sign mounted on a post at a rail-highway crossing inscribed with the words "Railroad" on one panel and "Crossing" on the other.

"Curb" - A vertical or sloping barrier along a roadway at least four inches high, clearly defining the edge of a roadway.

"Department" - The Illinois Department of Transportation, acting through its District Engineers.

"Roadway" - The portion of a road, street or highway on which vehicles travel, consisting of the pavement surface, exclusive of the shoulders.

"School Code" - The School Code [105 ILCS 5/29-5.2] (~~that~~-Rev.-Stat.-1989-~~ch-~~-122-~~par-~~ 29-5.2).

"Shoulder" - The relatively flat area between the outer edge of a roadway with no curb and the point where the earth begins sloping either upward or downward, intended for the accommodation of stopped vehicles or for emergency use.

"Speed of Traffic" - The speed of traffic shall be based on the posted speed limit. In special school speed zones as authorized by Section 11-605 of the Illinois Vehicle Code [625 ILCS 5/11-605], Rules-of-the-Road-~~that~~-Rev.-Stat.-1999-~~ch-~~95-1727-~~par-~~11-6857 the speed limit that is in force when the special school speed zone is not in effect shall be used. If speed limit signs are not present, the speed of traffic shall be considered to be 30 miles per hour in an urban area and 55 miles per hour in a rural area.

"Volume of Traffic" - The volume of traffic shall be classified as light, moderate or heavy on the basis of a five minute vehicular traffic count during either the morning or afternoon crossing period. The morning afternoon crossing period is that time of day when pupils are crossing or passing through hazardous locations. Volume of traffic shall be classified through the use of the following:

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

| | | | |
|----------|-------------------------|--|-----------------------------------|
| VOLUME | 2-LANES (1 OR 2 WAY) | 3-LANES/MORE (1 WAY) 4-LANES/MORE (2 WAY) | 7 points 9 points 10 points |
| Heavy | More than 40 vehicles | More than 60 vehicles | 6 points |
| Moderate | 20-40 vehicles | 40-60 vehicles | 8 points |
| Light | Less than 20 vehicles | Less than 40 vehicles | 10 points |

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 557.120 Determination

The determination of a serious safety hazard will shall be made on the basis of the number of points the hazardous condition(s) condition along a school route accumulate(s) accumulates when rated in accordance with this Part. When a pupil encounters a combination of hazardous conditions, the determination of a serious safety hazard will shall be made on the basis of the total number of the points for any two situations as accumulated under from this Part. Reimbursement will be given shall-be-received for transporting a pupil who if he/she must walk through a section(s) that produces at least the following points:

| GRADES | SINGLE TYPE I, II OR III HAZARD | COMBINATION OF TWO TYPE I, II AND/OR III HAZARDS |
|--------|---------------------------------------|--|
|--------|---------------------------------------|--|

| | | |
|--------|-----------|-----------|
| K-8th6 | 10 points | 18 points |
| 7-8 | 13-points | 24-points |
| 9-12 | 15 points | 27 points |

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 557.130 Walking On or Along a Roadway (Type I Hazard)

In determining whether a pupil walking on or along a roadway is endangered by a serious safety hazard, the location of a pupil in relation to the roadway, speed and volume of traffic, and length of hazardous section will shall be considered. To determine whether a serious safety hazard exists in a particular situation, appropriate points from subsections (a) and (b) will shall be added together.

a) Type and Length of Hazardous Section

| LOCATION OF PUPIL | LENGTH | POINTS |
|--|---|-----------------------------------|
| On roadway for a minimum of 50' because of narrow bridge or overpass | 50'-100' 100'-200' More than 200' | 7 points 9 points 10 points |

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

| | | | |
|----------|-------------------------|--|-----------------------------------|
| VOLUME | 2-LANES (1 OR 2 WAY) | 3-LANES/MORE (1 WAY) 4-LANES/MORE (2 WAY) | 7 points 9 points 10 points |
| Heavy | More than 40 vehicles | More than 60 vehicles | 6 points |
| Moderate | 20-40 vehicles | 40-60 vehicles | 8 points |
| Light | Less than 20 vehicles | Less than 40 vehicles | 10 points |

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 557.120 Determination

The determination of a serious safety hazard will shall be made on the basis of the number of points the hazardous condition(s) condition along a school route accumulate(s) accumulates when rated in accordance with this Part. When a pupil encounters a combination of hazardous conditions, the determination of a serious safety hazard will shall be made on the basis of the total number of the points for any two situations as accumulated under from this Part. Reimbursement will be given shall-be-received for transporting a pupil who if he/she must walk through a section(s) that produces at least the following points:

| GRADES | SINGLE TYPE I, II OR III HAZARD | COMBINATION OF TWO TYPE I, II AND/OR III HAZARDS |
|--------|---------------------------------------|--|
|--------|---------------------------------------|--|

| | | |
|--------|-----------|-----------|
| K-8th6 | 10 points | 18 points |
| 7-8 | 13-points | 24-points |
| 9-12 | 15 points | 27 points |

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 557.130 Walking On or Along a Roadway (Type I Hazard)

In determining whether a pupil walking on or along a roadway is endangered by a serious safety hazard, the location of a pupil in relation to the roadway, speed and volume of traffic, and length of hazardous section will shall be considered. To determine whether a serious safety hazard exists in a particular situation, appropriate points from subsections (a) and (b) will shall be added together.

a) Type and Length of Hazardous Section

| LOCATION OF PUPIL | LENGTH | POINTS |
|--|---|-----------------------------------|
| On roadway for a minimum of 50' because of narrow bridge or overpass | 50'-100' 100'-200' More than 200' | 7 points 9 points 10 points |

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

| | | |
|---|--|-----------------------------------|
| On roadway for a minimum of 300' because of no shoulder or sidewalk | 300'-1000' 1000'-2000' More than 2000' | 7 points 9 points 10 points |
| On narrow shoulder within 5' of roadway for a minimum of 0.2 mile | 0.2-0.5 mile 0.5-1 mile More than 1 mile | 6 points 8 points 10 points |

b) Speed and Volume of Traffic

| SPEED | VOLUME | POINTS |
|-----------|----------------------------|-------------|
| 50-55 mph | Heavy Moderate Light | 8 6 4 |
| 40-45 mph | Heavy Moderate Light | 6 4 2 |
| 30-35 mph | Heavy Moderate Light | 5 3 1 |

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 557.140 Crossing a Roadway (Type II Hazard)

In determining whether a pupil crossing a roadway is endangered by a serious safety hazard, the type of traffic control, number of lanes and speed and volume of traffic on the roadway will shall be considered. To determine whether a hazard exists in a particular situation, appropriate points from subsections (a) and (b) will shall be added together.

a) Type of Traffic Control

| CONTROL OF TRAFFIC ON ROADWAY BEING CROSSED | TWO LANES OR MORE | THREE LANES OR MORE |
|---|----------------------|------------------------|
| Does Not Stop | 6 points | 8 points |
| Stopped by signals or stop sign | 2 points | 4 points |

b) Speed and Volume of Traffic

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

a) Request by custodian for determination.
A request by a custodian for a determination that a serious safety hazard exists shall be made in accordance with this part, and on an application a form promulgated by the Illinois Department of Transportation--(the--Department). This form will ~~shall~~ be provided by the Superintendent of the Educational Service Region for the county in which the custodian resides. A custodian's request shall be supported by findings on those factors that ~~which~~ were found to contribute to the hazard. Findings shall be indicated by completion of appropriate portions of the submittal form. Example: Speed of traffic (45 m.p.h). Volume of traffic (60 vehicles/five minute vehicular traffic count). Length of hazardous section (1.2 miles). Each submittal shall be certified true and correct by the custodian making the submission.

AGENCY NOTE: Long-term construction projects may have an effect on the safety of a route used by pupils walking to and from school. The effect may include increases in the type and length of the hazardous section, the speed and volume of the traffic, traffic control, the number of lanes of traffic to be crossed, the number of railroad tracks to be crossed, the type of railroad protection utilized and the number of daily trains passing during the school crossing periods. A request submitted using these revised figures may result in a serious safety hazard finding for a route that would not otherwise qualify for such a finding.

b) Submission of request.
An application form and a map or sketch showing the location of the hazard and the route walked by the pupil ~~child~~ shall be submitted by the custodian to the Regional Superintendent of Education for the area in which the custodian is situated no later than February 1 of the school year for which reimbursement will be sought. On or before February 15 of each year, the ~~the~~ Regional Superintendent will ~~shall~~ forward the request to the appropriate District Office of the Illinois Department (see Section 557, Illustration A-District Boundary Map for Listing of District addresses and phone numbers) of Transportation. The submittal may include other written materials, including photographs, that which the custodian believes will aid in the Department's review.

c) Department review.
i) Within 90-days-of-submission-of--the--request--by--the--Regional Superintendent-to-the-Department--the-Department-shall--approve-or disapprove--the--custodian's--request--The-Department's-review shall-consist-of-determining-the-correctness-of--the--information shown--on-the-application-form--this-review-shall-include-but-is not-limited-to-the-following:--taking-a--view--of--the--location consulting-vehicular--volume--count--maps--or-counting-vehicles measuring-length-and-width-of-roads--observing-train-movements and-obtaining-train-speeds-from-railroads--regulatory-authorities or-law-enforcement-officials--the-persons-conducting-the--review shall--document-the-procedures-employed-and-information-obtained--

DEPARTMENT OF TRANSPORTATION
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| SPEED | VOLUME | POINTS |
|-----------|----------------------------|-------------|
| 50-55 mph | Heavy Moderate Light | 8 6 4 |
| 40-45 mph | Heavy Moderate Light | 6 4 2 |
| 30-35 mph | Heavy Moderate Light | 5 3 1 |

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 557.150 Crossing Railroad Tracks (Type III Hazard)

In determining whether a pupil crossing a railroad track is endangered by a serious safety hazard, the number of tracks, type of crossing protection warning, and number of daily trains during school crossing periods will ~~shall~~ be considered. To determine whether a hazard exists in a particular situation, appropriate points from subsections (a) and (b) will ~~shall~~ be added together.

| a) Number of Tracks and Type of Protection Warning | | | |
|--|----------------------------|-----------------|-----------------|
| NO. OF TRACKS | TYPE OF PROTECTION WARNING | CROSSBUCKS ONLY | |
| | | ACTIVE | CROSSBUCKS ONLY |
| 3 or more | 6 points | 8 points | |
| 1 or 2 | 4 points | 7 points | |
| b) Number of Trains | | | |
| NO. OF DAILY TRAINS DURING SCHOOL CROSSING PERIODS | | POINTS | |
| 4 or more | 7 | | |
| 3 | 6 | | |
| 2 | 5 | | |
| 1 | 4 | | |

(Source: Amended at 25 Ill. Reg. _____, effective _____)

Section 557.160 Procedures

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF ADOPTED AMENDMENT

Requests, whether approved or disapproved, shall be returned to the Regional Superintendent for distribution to custodians. If a submittal is incomplete, the Department shall disapprove it without prejudice and state why it is considered incomplete. A request which is disapproved because of incompleteness may be resubmitted by the custodian within 30 days of the custodian's receipt of notification by the Department that the request is incomplete.

3) If a submittal is complete, it will be reviewed by the District Officer. If a complete request is disapproved, the Department shall, in writing, state why and upon what information the Department's decision was based.

1) The Department will review and approve or disapprove the custodian's request within 30 days after submission of the request by the Regional Superintendent to the Department.

2) If a submittal is incomplete, the Department will disapprove it without prejudice and will, in writing, state why it is considered incomplete. A request that is disapproved because of incompleteness may be resubmitted by the custodian within 30 days after the custodian's receipt of notice by the Department that the request is incomplete.

3) The Department's review will consist of determining the correctness of the information shown on the application form. This review will include, but is not limited to, the following: viewing the location, consulting vehicular volume count maps or counting vehicles, measuring length and width of roadways, observing train movements and obtaining train speeds from railroads, regulatory authorities or law enforcement officials. The persons conducting the review will document the procedures utilized and information obtained. Requests, whether approved or disapproved, will be returned to the Regional Superintendent for distribution to custodians. If a complete request is disapproved, the Department will, in writing, state why and upon what information the Department's decision was based.

d) Reimbursement.

Since the actual reimbursement to custodians is shall be handled by the State Superintendent of Education, rather than the Illinois Department of Transportation, custodians shall refer questions regarding reimbursement shall be referred to the State Superintendent.

(Source: Amended at 25 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.280 Adopted Action: Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) Effective Date of Amendment: July 23, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: March 30, 2001, Issue #13, 25 Ill. Reg. 4316
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version? None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any proposed amendments pending on this Part? Yes

| Section Numbers | Proposed Action | Ill. Register Citation |
|-----------------|-----------------|------------------------|
| 310.280 | Amend | 25 Ill. Reg. 3058 |
| 310.280 | Amend | 25 Ill. Reg. 3058 |
| 310.280 | Amend | 25 Ill. Reg. 4316 |
| 310.280 | Amend | 25 Ill. Reg. 5774 |
| 310.280 | Amend | 25 Ill. Reg. 7008 |
| 310.270 | Amend | 25 Ill. Reg. 7151 |
| 310.110 | Amend | 25 Ill. Reg. 8911 |
| 310.130 | Amend | 25 Ill. Reg. 8911 |
| 310.290 | Amend | 25 Ill. Reg. 8911 |
| 310.530 | Amend | 25 Ill. Reg. 8911 |
| 310.540 | Amend | 25 Ill. Reg. 8911 |
| APPENDIX B | | 25 Ill. Reg. 8911 |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

APPENDIX C Amend 25 Ill. Reg. 8911
 APPENDIX D Amend 25 Ill. Reg. 8911
 APPENDIX G Amend 25 Ill. Reg. 8911

15) Summary and Purpose of Amendments: In Section 310.280, Designated Rate, the Economic Development Representative II (12932-42-35-110-10-02) and Private Secretary II (34202-42-00-000-01-02) positions were deleted from this Section at the request of the Department of Commerce and Community Affairs since these two positions are vacated and no longer require this designation. Also, the annual salary for a Public Service Administrator (37015-42-35-110-10-03) was upgraded from \$75,588 to \$78,612 at the request of the Department of Commerce and Community Affairs.

16) Information and questions regarding this adopted amendment shall be directed to:

Mr. Michael Murphy
 Department of Central Management Services
 Division of Technical Services
 504 William G. Stratton Building
 Springfield, Illinois 62706
 (217) 782-5601

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
 POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

| Section | |
|---------|--|
| 310.20 | Policy and Responsibilities |
| 310.30 | Jurisdiction |
| 310.40 | Pay Schedules |
| 310.50 | Definitions |
| 310.60 | Conversion of Base Salary to Pay Period Units |
| 310.70 | Conversion of Base Salary to Daily or Hourly Equivalents |
| 310.80 | Increases in Pay |
| 310.90 | Decreases in Pay |
| 310.100 | Other Pay Provisions |
| 310.110 | Implementation of Pay Plan Changes for Fiscal Year 2001 |
| 310.120 | Interpretation and Application of Pay Plan |
| 310.130 | Effective Date |
| 310.140 | Reinstitution of Within Grade Salary Increases (Repealed) |
| 310.150 | Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed) |

SUBPART B: SCHEDULE OF RATES

| Section | |
|---------|--|
| 310.205 | Introduction |
| 310.210 | Prevailing Rate |
| 310.220 | Negotiated Rate |
| 310.230 | Part-Time Daily or Hourly Special Services Rate |
| 310.240 | Hourly Rate |
| 310.250 | Member, Patient and Inmate Rate |
| 310.260 | Trainee Rate |
| 310.270 | Legislated and Contracted Rate |
| 310.280 | Designated Rate |
| 310.290 | Out-of-State or Foreign Service Rate |
| 310.300 | Educator Schedule for RC-063 and HR-010 |
| 310.310 | Physician Specialist Rate |
| 310.320 | Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections |
| 310.330 | Excluded Classes Rate (Repealed) |

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

| Section | |
|------------------------------------|--|
| 310.410 | Jurisdiction |
| 310.420 | Objectives |
| 310.430 | Responsibilities |
| 310.440 | Merit Compensation Salary Schedule |
| 310.450 | Procedures for Determining Annual Merit Increases |
| 310.455 | Intermittent Merit Increase |
| 310.456 | Merit Zone (Repealed) |
| 310.460 | Other Pay Increases |
| 310.470 | Adjustment |
| 310.480 | Decreases in Pay |
| 310.490 | Other Pay Provisions |
| 310.495 | Broad-Band Pay Range Classes |
| 310.500 | Definitions |
| 310.510 | Conversion of Base Salary to Pay Period Units |
| 310.520 | Conversion of Base Salary to Daily or Hourly Equivalents |
| 310.530 | Implementation |
| 310.540 | Annual Merit Increase Guidechart for Fiscal Year 2001 |
| 310.550 | Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed) |
| APPENDIX A Negotiated Rates of Pay | |
| TABLE A | HR-190 (Department of Central Management Services - State of Illinois Building - SEIU) |
| TABLE AA | NR-916 (Department of Natural Resources, Teamsters) |
| TABLE AB | VR-007 (Plant Maintenance Engineers, Operating Engineers) |
| TABLE B | HR-200 (Department of Labor - Chicago, Illinois - SEIU) (Repealed) |
| TABLE C | RC-069 (Firefighters, AFSCME) |
| TABLE D | HR-001 (Teamsters Local #726) |
| TABLE E | RC-020 (Teamsters Local #330) |
| TABLE F | RC-019 (Teamsters Local #25) |
| TABLE G | RC-045 (Automotive Mechanics, IFPE) |
| TABLE H | RC-006 (Corrections Employees, AFSCME) |
| TABLE I | RC-009 (Institutional Employees, AFSCME) |
| TABLE J | RC-014 (Clerical Employees, AFSCME) |
| TABLE K | RC-023 (Registered Nurses, INA) |
| TABLE L | RC-008 (Boilermakers) |
| TABLE M | RC-110 (Conservation Police Lodge) |
| TABLE N | RC-010 (Professional Legal Unit, AFSCME) |
| TABLE O | RC-028 (Paraprofessional Human Services Employees, AFSCME) |
| TABLE P | RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE) |
| TABLE Q | RC-033 (Meat Inspectors, IFPE) |
| TABLE R | RC-042 (Residual Maintenance Workers, AFSCME) |
| TABLE S | HR-012 (Fair Employment Practices Employees, SEIU) (Repealed) |
| TABLE T | HR-010 (Teachers of Deaf, IFU) |
| TABLE U | HR-010 (Teachers of Deaf, Extracurricular Paid Activities) |
| TABLE V | CU-500 (Corrections, Meet and Confer Employees) |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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| | |
|------------|---|
| TABLE W | RC-062 (Technical Employees, AFSCME) |
| TABLE X | RC-063 (Professional Employees, AFSCME) |
| TABLE Y | RC-063 (Educators, AFSCME) |
| TABLE Z | RC-063 (Physicians, AFSCME) |
| APPENDIX B | Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 2001 |
| APPENDIX C | Medical Administrator Rates for Fiscal Year 2001 |
| APPENDIX D | Merit Compensation System Salary Schedule for Fiscal Year 2001 |
| APPENDIX E | Teaching Salary Schedule (Repealed) |
| APPENDIX F | Physician and Physician Specialist Salary Schedule (Repealed) |
| APPENDIX G | Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2001 |

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854,

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effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6688, Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 11995; effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160,

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NOTICE OF ADOPTED AMENDMENT

effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16485, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill.

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Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; peremptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective

SUBPART B: SCHEDULE OF RATES

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Commerce & Community Affairs

| | |
|---|----------------------|
| Economic-Development-Representative-II | Annual Salary |
| {Post-No.-12992-42-95-110-10-02} | 54,948 |

| | |
|----------------------------------|----------------------|
| Private-Secretary-II | Annual Salary |
| {Post-No.-34202-42-00-000-01-02} | 40,492 |

| | |
|--------------------------------------|----------------------|
| Public Information Officer IV | Annual Salary |
| (Pos. No. 37004-42-00-005-10-01) | 64,932 |

| | |
|-------------------------------------|----------------------|
| Public Service Administrator | Annual Salary |
| (Pos. No. 37015-42-35-110-10-03) | 75,598 |
| | 78,612 |

| | |
|-------------------------------------|----------------------|
| Public Service Administrator | Annual Salary |
| (Pos. No. 37015-42-35-140-20-01) | 87,720 |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Department of Human Services

Medical Administrator I, Option D
(Pos. No. 26401-10-79-006-00-21)

Annual Salary
142,368

Public Service Administrator
(Pos. No. 37015-10-23-100-30-01)

Annual Salary
76,572

Senior Public Service Administrator
(Pos. No. 40070-10-65-000-00-01)

Annual Salary
105,475

Senior Public Service Administrator
(Pos. No. 40070-10-81-920-00-21)

Annual Salary
105,480

Illinois State and Local Labor Relations Board

Private Secretary II
(Pos. No. 34202-50-19-000-00-01)

Annual Salary
51,900

Department of Natural Resources

Administrative Assistant II
(Pos. No. 00502-12-30-000-20-01)

Annual Salary
50,520

Department of State Police

Senior Public Service Administrator
(Pos. No. 40070-21-10-000-00-01)

Annual Salary
109,358

(Source: Amended at 25 Ill. Reg. 9846 effective _____)

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Annual Emissions Report

2) Code Citation: 35 Ill. Adm Code 254

| 3) <u>Section Numbers:</u> | <u>Proposed Action:</u> |
|----------------------------|-------------------------|
| 254.101 | Amended |
| 254.102 | Amended |
| 254.103 | Amended |
| 254.104 | Repealed |
| 254.105 | Repealed |
| 254.106 | Repealed |
| 254.107 | Repealed |
| 254.108 | Repealed |
| 254.109 | Repealed |
| 254.110 | Repealed |
| 254.111 | Repealed |
| 254.112 | Repealed |
| 254.120 | New |
| 254.130 | Repealed |
| 254.131 | Repealed |
| 254.132 | Amended |
| 254.134 | Amended |
| 254.135 | Amended |
| 254.136 | Amended |
| 254.137 | New |
| 254.138 | New |
| 254.201 | Repealed |
| 254.202 | Repealed |
| 254.203 | Amended |
| 254.204 | Amended |
| 254.301 | Repealed |
| 254.302 | Repealed |
| 254.303 | Amended |
| 254.304 | Repealed |
| 254.305 | Repealed |
| 254.306 | Amended |
| 254.401 | Repealed |
| 254.402 | Repealed |
| 254.403 | Repealed |
| 254.404 | Repealed |
| 254.501 | New |

4) Statutory Authority: The Illinois Environmental Protection Act. [415 ILCS 5/4].

5) Effective Date of Amendments: July 17, 2001

6) Do these amendments contain an automatic repeal date? No

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENTS

- 7) Do these adopted amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 3099

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: There were three changes between the proposal and the final version: First, in Section 254.102(c), the "D" was changed to "E". Second, in the definition "Actual Emissions" in Section 254.103, "emissions unit" was changed to "emission unit". In Section 254.138, "emissions unit" also was changed to "emission unit". Finally, in Section 254.501(a)(1)(B), "responsible official" was capitalized.

12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace any emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: This rulemaking primarily amends 35 Ill. Adm. Code 254 by restructuring the Part and clarifying reporting requirements. The amendments also add reporting requirements for seasonal emissions for sources that are subject to the Emissions Reduction Market System (ERMS) [35 Ill. Adm. Code 205]. The reporting of seasonal emissions focuses on volatile organic material emissions, but also addresses enhanced reporting of hazardous air pollutant emissions. This enhanced reporting is needed to enable the Illinois Environmental Protection Agency to perform an annual evaluation of the ERMS program, as required by 35 Ill. Adm. Code 205.760. The Illinois Environmental Protection Agency is required to evaluate trends and spatial distribution of hazardous air pollutants as a component of this annual program evaluation.

16) Information and questions regarding these adopted amendments shall be directed to:

Bonnie Sawyer
IL Environmental Protection Agency 217/782-5544
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, Illinois 62794-9276

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION

CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 254
ANNUAL EMISSIONS REPORT

SUBPART A: GENERAL PROVISIONS

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| 254.112 | Applicable Pollutants for Annual Emissions Reporting |
| 254.120 | Minimum Contents of Annual Emissions Report (Repealed) |
| 254.130 | Methods of Filing Annual Emissions Report (Repealed) |
| 254.131 | Failure to File a Complete Report |
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SUBPART B: REPORTING REQUIREMENTS FOR LARGE SOURCES

| Section | Purpose |
|---------|---|
| 254.201 | Annual Emissions Report (Repealed) |
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| 254.203 | Contents of Subpart B Annual Emissions Report |
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SUBPART C: REPORTING REQUIREMENTS FOR OTHER SOURCES OF VOM-OR-NOF+T
#N-050NE-NONATTAINMENT-AREAS

| Section | Purpose |
|---------|--|
| 254.301 | Annual Emissions Report (Repealed) |
| 254.302 | Reporting Schedule (Repealed) |
| 254.303 | Contents of Subpart C Annual Emissions Report |
| 254.304 | Transition to Full Reporting by Large Sources (Repealed) |
| 254.305 | Continuing Requirements for Other Sources (Repealed) |

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254.306 Complete Reports

SUBPART D: REPORTING REQUIREMENTS FOR SMALL SOURCES

Section

254.401 Annual Emissions Report (Repealed)

254.402 Reporting Schedule (Repealed)

254.403 Contents of Subpart D Annual Emissions Report (Repealed)

254.404 Complete Reports (Repealed)

SUBPART E: SEASONAL EMISSIONS REPORT UNDER ERMS

Section

254.501 Contents of a Seasonal Emissions Report

AUTHORITY: Authorized by Section 4(b) of the Environmental Protection Act [415 ILCS 5/4(b)].

SOURCE: Adopted at 17 Ill. Reg. 7782, effective May 14, 1993; amended at 25 Ill. Reg. 9856, effective 11/1/93.

SUBPART A: GENERAL PROVISIONS

Section 254.101 Purpose

This Part establishes uniform procedures for the reporting of air pollution emissions data from sources of regulated air pollutants and the reporting of seasonal emissions from sources participating in the Emissions Reduction Market System (ERMS), including procedures for the reporting of emissions of Volatile Organic Material (VOM) and Nitrogen Oxides (NOx) from sources located in ozone nonattainment areas. These reports will be used to update the Agency's emissions inventory, and to enable the State to comply with the inventory and reporting requirements of Section 182(a) of the Clean Air Act (42 USC 1752-7401 et seq.), and to fulfill the requirements for the ERMS seasonal allotment period reporting required by 35 Ill. Adm. Code 205.300 and 205.760. The procedures presented in this Part implement the provisions of 35 Ill. Adm. Code 201.302(a) and 201.302(b), 205.300 and 205.760.

(Source: Amended at 25 Ill. Reg. 9856, effective _____)

Section 254.102 Applicability

a) Subpart B of this Part applies to the owner or operator of any source required to have an operating permit in accordance with 35 Ill. Adm. Code 201 and that is permitted to emit 25 tons per year or more of any combination of regulated air pollutants. Subpart B also applies to the owner or operator of any source required to have an operating permit in accordance with Section 39.5 of the Environmental Protection

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Act (1117-Rev-Stat-19917-chr-111-1/2, par-10399-57-as-amended-by P.A.-87-1213-effective-September-26-1992)-(415-ILCS-5/39-5)-the State-approved-permit-program-established-pursuant-to-Article-V-of-the Clean-Air-Act-(42-U.S.C.-7401-et-seq)-(CAAPP).

1) Owners or operators of any source required to have an operating permit in accordance with 35 Ill. Adm. Code 201 that is permitted to emit 25 tons per year or more of any combination of regulated air pollutants.

2) Owners or operators of any source required to have an operating permit in accordance with Section 39.5 of the Environmental Protection Act [415 ILCS 5/39.5]; and

3) Owners or operators of sources in ozone nonattainment areas that have a potential to emit 25 tons per year or more of either VOM or NOx from all emission units.

b) Subpart C of this Part applies to the owner or operator of any source of regulated air pollutants required to have an operating permit in accordance with 35 Ill. Adm. Code 201 that is not subject to subsection (a) of this Section. That has a potential to emit 25 tons per year or more of either VOM or NOx for all emission units at that source and which is located in any ozone nonattainment area within the State of Illinois.

c) The provisions of Subpart E of this Part apply applies to the owner or operator of any source that is subject to the seasonal reporting requirements for ERMS required by 35 Ill. Adm. Code 205.300, as specified under Section 254.501 of Subpart E of regulated air pollutants required to have an operating permit in accordance with 35 Ill. Adm. Code 201 and which is not subject to subsections (a) or (b) above.

(Source: Amended at 25 Ill. Reg. 9856, effective _____)

Section 254.103 Definitions

Except as otherwise defined in this Part, definitions of terms used in this Part shall be those used in the Environmental Protection Act (1117-Rev-Stat-19917-chr-111-1/2, par-1001-et-seq) [415 ILCS 5/1-et-seq] and in 35 Ill. Adm. Code: Subtitle B.

"Actual emissions" means the rate of emission of a regulated air pollutant from a source or an emission unit for the calendar year, seasonal period, day or other period of time, as specified, based on the best information available to the owner or operator of that emission unit. Actual emission rates include startup, shutdown or malfunction emissions. The calculation of actual emissions must follow an "emission determination method". Where, for any reason, a source has measured any of its emissions, the source must report the measured total as its "actual emissions"

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for those pollutants rather than using an estimation method to derive the total for that period of time during which the measurements were taken.

"Annual Emissions Report" means the information and certifications required by Subparts B and C of this Part, as applicable under Section 254.102(a) or (b) of this Subpart, and any additional requirements for submission with the Annual Emissions Report specifically imposed by the source's permit.

"Annual process rate" means the actual or estimated annual fuel operating rate, process operating rate, or waste operating rate.

"Certifying individual" means the individual responsible for the certification of the accuracy of the Annual Emissions Report and who will take legal responsibility for the information verified or reported in the Annual Emissions Report.

"Emission determination method" means the method generally accepted and used by those persons engaged in the field of air pollution control to derive actual emissions, whether measured or estimated. A permit condition may specify the emission determination method to be used.

"Peak ozone season" means the months of June, July and August.

"Seasonal Emissions Report" means the seasonal report required under ERMS at 35 Ill. Adm. Code 205.300 and the information and certifications required by Subpart E of this Part, as applicable under Section 254.102(c) of this Subpart.

"Source Inventory Report" means the report that the Agency provides to a source that lists data fields for the information required in the Annual Emissions Report, and contains the information, if any, that previously has been reported to the Agency by the source for those data fields.

"Typical peak ozone season day" means any day representative of source operations during the peak ozone season.

(Source: Amended at 25 Ill. Reg. 9856, effective _____)

Section 254.104 Actual Emissions (Repealed)

"Actual emissions" means the rate of emission of a regulated air pollutant from a source or an emissions unit for the calendar year, seasonal period, day or other period of time as specified based on the best information available to

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the owner or operator of that emissions unit. Actual emission rates include startup, shutdown, or malfunction emissions. The calculation of actual emissions must follow an emission determination method. Where, for any reason, a source has measured any of its emissions, the source must report the measured total as its "actual emissions" for those pollutants rather than using an estimation method to derive the total for that period of time during which the measurements were taken.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.105 Annual Process Rate (Repealed)

"Annual process rate" means the actual or estimated annual fuel operating rate, process operating rate, or waste operating rate.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.106 Certifying Individual (Repealed)

"Certifying individual" means the individual responsible for the certification of the accuracy of the Annual Emissions Report and who will take legal responsibility for the information verified or reported in the Annual Emissions Report.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.107 Emission Determination Method (Repealed)

"Emission determination method" means the method generally accepted and used by those persons engaged in the field of air pollution control to derive actual emissions, whether measured or estimated.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.108 Emissions Summary (Repealed)

"Emissions Summary" means the portion of the Source Inventory Report listing the data fields for the information required in the minimum Annual Emissions Report prescribed at Section 254.130 of this Part.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.109 Inventory Edit Summary (Repealed)

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"Inventory-Edit-Summary"-means-the-report--that--the--Agency--provides--to--the source--that--lists--data--fields--from--the--Source--Inventory--Report--that--the--Agency has--reason--to--believe--are--incorrect,--incomplete--or--outdated;

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.110 Peak Ozone Season (Repealed)

"Peak-ozone-season"-means-the-months-of-June,--July--and--August--

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.111 Source Inventory Report (Repealed)

"Source-Inventory-Report"-means-the-report--that--the--Agency--provides--to--the source--that--lists--data--fields--for--the--information--required--in--the--Annual Emissions-Report--and--contains--the--information,--if--any,--that--previously--has--been reported--to--the--Agency--for--those--data--fields.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.112 Typical Ozone Season Day (Repealed)

"typical-ozone-season-day"-means-any-day--Monday--through--Friday,--representative of--source--operations--during--the--peak--ozone--season;

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.120 Applicable Pollutants for Annual Emissions Reporting

Each Annual Emissions Report shall include applicable information for all regulated air pollutants, as defined in Section 39.5 of the Act (415 ILCS 5/39.5), except for the following pollutants:

- a) A pollutant emitted from an emission unit that is considered an insignificant activity under the source's Clean Air Act Permit Program (CAAPP) permit or, if the initial CAAPP permit for the source has not been issued, proposed as an insignificant activity in the source's CAAPP application, or is exempt from permitting requirements under 35 Ill. Adm. Code 201.146; or
- b) A hazardous air pollutant emitted by an emission unit that is not subject to a National Emissions Standard for Hazardous Air Pollutants (NESHAP) or maximum achievable control technology (MACT). For purposes of this subsection (b), emission units that are not required to control or limit emissions but are required to monitor, keep

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records, or undertake other specific activities are considered subject to such regulation or requirement.

(Source: Added at 25 Ill. Reg. 9856, effective _____)

Section 254.130 Minimum Contents of Annual Emissions Report (Repealed)

As-a-minimum,--each--Annual--Emissions--Report--filed--pursuant--to--35--Ill.--Adm.--Code--254--shall--contain:

- a) Source-identification-information:
 - 1) Source-name,--physical-location--and--mailing-address;
 - 2) SIC-coder
 - 3) Source-contact;
 - 4) Source-contact--telephone-number;
- b) Source-wide--totals--of--actual--emissions--for--all--regulated--air pollutants--emitted--by--the--source;
- c) The--following--certification--statement:--"All--Annual--Emissions--Report data--verified,--modified--or--provided--on--behalf--of--the--company--named above,--whether--submitted--electronically--or--in--writing,--represents--the best--available--information--and--is--true--and--accurate--to--the--best--of--my knowledge."--The--certification--statement--shall--be--accompanied--by--the full--name,--title,--actual--signature,--date--of--signature--and--a--telephone number--of--the--certifying--individual;

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.131 Methods of Filing Annual Emissions Report (Repealed)

Each--owner--or--operator--subject--to--a--reporting--requirement--pursuant--to--35--Ill.--Adm.--Code--254--must--file--the--minimum--Annual--Emissions--Report--pursuant--to--Section 254.130--of--this--Part--in--paper--form--this--will--satisfy--the--requirement--for--the information--listed--in--the--Emissions--Summary--portion--of--the--Source--Inventory Report.---When--revisions--or--additions--have--been--made--to--the--information--in--the remainder--of--the--Source--Inventory--Report,--that--information--may--be--filed--in paper--form--or--electronically.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.132 Failure to File a Complete Report

- a) Failure to file a complete Annual Emissions Report by the applicable deadlines prescribed in Section 254.137(a) Subparts B-E and D of this Subpart Part shall be a violation of this Part and 35 Ill. Adm. Code 201.302(a).
- b) Failure to file a complete Seasonal Emissions Report by the applicable

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deadlines prescribed in Section 254.137(b) of this Subpart shall be a violation of this Part and 35 Ill. Adm. Code 205.300.
c) Failure to receive the Source Inventory Report from the Agency pursuant to Subparts B-6 or B-7 of this Part does not relieve an owner or operator from the obligation to file a complete Annual Emissions Report. Any owner or operator who does not receive the Source Inventory Report at least ninety (90) days before the applicable reporting deadline may contact the Agency to request the Source Inventory Report.

(Source: Amended at 25 Ill. Reg. 9856, effective October 31 of each year; or November 30 of each year.)

Section 254.134 Retention of Records

The Agency may require information from the owner or operator to substantiate the contents of the Annual Emissions Report or the Seasonal Emissions Report. All records and calculations upon which the verified and reported data are based must be retained by the source for a minimum of three (3) years following the filing of a complete report, unless a longer period is specified in the source's permit. A request for such information may be made up to three (3) years following the filing of a complete report, unless a longer period for record retention is specified in the source's permit. The source shall provide the requested information in a format acceptable to the Agency within thirty (30) days after the receipt of the request. Nothing in this Section shall be interpreted to impose any additional monitoring that which is not otherwise required by applicable rules or a permit conditions condition.

(Source: Amended at 25 Ill. Reg. 9856, effective October 31 of each year; or November 30 of each year.)

Section 254.135 Reporting of Errors

If, after submitting any Annual Emissions Report required by this Part 254, the owner or operator discovers an error in the data reported, the owner or operator shall notify the Agency of the error in writing and shall provide the Agency with the correct data. The notification and correction shall be conveyed to the Agency within thirty (30) days after the owner's or operator's discovery of the error. The corrected data shall be certified in accordance with Section 254.203(c) or 254.303(c) of this Part, as applicable.

(Source: Amended at 25 Ill. Reg. 9856, effective October 31 of each year; or November 30 of each year.)

Section 254.136 Confidentiality and Trade Secret Protection

Information reported in any Annual Emissions Report or Seasonal Emissions Report and claimed to be confidential or a trade secret shall be subject to the

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procedures for submitting, identifying and protecting such information that are set forth in 415 ILCS 5/7-2. The Agency shall provide to the owner or operator the information requested in the data fields of the report, as applicable, where the information requested in the data fields of the report has been previously provided to the owner or operator.

Section 254.137 Reporting Schedule

- a) All Annual Emissions Reports are due by May 1 of the year following the calendar year in which the emissions took place.
- b) Seasonal Emissions Reports must be submitted for the preceding seasonal allotment period in accordance with the following schedule:
 - 1) For each participating source or new participating source that generates VOM emissions from less than 10 emission units, by October 31 of each year; or
 - 2) For each participating source or new participating source that generates VOM emissions from 10 or more emission units, by November 30 of each year.

(Source: Added at 25 Ill. Reg. 9856, effective October 31 of each year; or November 30 of each year.)

Section 254.138 Issuance of Source Inventory Report

At least 90 days prior to a source's deadline for filing an Annual Emissions Report, the Agency shall provide to such source the applicable Source Inventory Report. The Source Inventory Report shall contain all data fields for the information required under Section 254.203 or 254.303 of this Part, as applicable. Where the information requested in the data fields has previously been provided to the Agency, the Agency shall provide this data on the Source Inventory Report for verification or modification by the owner or operator. Where the required information has not been previously provided by the owner or operator and is applicable to the activities, equipment or emissions of the source, it must be provided by the owner or operator. The information on emissions shall be based on the best information available to the owner or operator of that source or emission unit.

(Source: Added at 25 Ill. Reg. 9856, effective October 31 of each year; or November 30 of each year.)

SUBPART B: REPORTING REQUIREMENTS FOR LARGE SOURCES

Section 254.201 Annual Emissions Report (Repealed)

At least ninety (90) days prior to a source's deadline for filing an Annual Emissions Report, the Agency shall provide to such source the Source Inventory Report and the Inventory Edit Summary, if applicable. The Source Inventory Report shall contain all data fields for the information requested under Sections 254.130 and 254.203 of this Part. Where the information requested in the data fields has been previously provided to the Agency, the Agency shall

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provide--this--data--on--the--Source--Inventory--Report--for--verification--or modification--by--the--owner--or--operator--Where--the--required--information--has--not been--previously--provided--by--the--owner--or--operator--and--is--applicable--to--the activities--equipment--or--emissions--of--the--source--it--must--be--provided--by--the owner--or--operator--The--information--on--emissions--shall--be--based--on--the--best information--available--to--the--owner--or--operator--of--that--source--or--emission--unit--

(Source: Repealed at 25 Ill. Reg. 9856, effective 9856, effective 9856)

Section 254.202 Reporting Schedule (Repealed)

- a) For each source subject to the applicability requirements of Section 254.102(a) of this Part, the first Annual Emissions Report filed for all regulated air pollutants pursuant to Subpart B of this Part shall be for the calendar year following the year in which the USEPA approves or conditionally approves the State's CAAP implemented pursuant to Section 39.5 of the Environmental Protection Act (415 Rev. Stat. 1991, ch. 111, § 3, par. 1039.57 as amended by P.A. 87-1213 effective September 28, 1993) (415 ILCS 5/39.57) for example, if the USEPA approves or conditionally approves the CAAP program in 1994, the first full Annual Emissions Report shall include emissions information for calendar year 1995 and shall be filed with the Agency by May 17, 1996. Whereafter, an Annual Emissions Report shall be filed with the Agency for each calendar year by May 1 of the subsequent year.
- b) Commencing with calendar year 1992, all sources subject to Section 254.102(a) of this Part shall file an Annual Emissions Report pursuant to Subpart B of this Part until such time as the source is required to file a full Annual Emissions Report pursuant to subsection (4) above. For example, if the first full Annual Emissions Report for a source must be filed for calendar year 1995, the owner or operator must file an Annual Emissions Report pursuant to the requirements of Subpart B of this Part for calendar years 1992, 1993, and 1994.

(Source: Repealed at 25 Ill. Reg. 9856, effective 9856)

Section 254.203 Contents of Subpart B Annual Emissions Report

The Annual Emissions Report filed pursuant to this Subpart B of this Part shall be limited to information requested by the Agency and required in the application for permits or renewals, including source identification, information, emissions information, operating data, control device information, and exhaust point information for each regulated air pollutant emitted at the source. The information shall be provided for an individual emission unit or operation if this is also required in the application for permits or renewals. The Annual Emissions Report to be filed pursuant to this Subpart shall contain

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the following information, as applicable:

- a) Source identification information:
- 1) Source name, physical location and mailing address;
 - 2) SIC code;
 - 3) Source contact; and
 - 4) Source contact telephone number.
- b) Source-wide totals of actual emissions for all regulated air pollutants emitted by the source.
- c) The following certification statement, unless another statement is required to be submitted pursuant to the source's permit: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete." The certification statement shall be signed and dated by the certifying individual and accompanied by the printed full name, title, and a telephone number of the certifying individual.
- d) Emissions information for each emission unit producing or capable of producing any regulated air pollutant, including:
- 1) Annual actual emissions of each regulated air pollutant;
 - 2) Actual VOM and/or NO[x] emissions for a typical peak ozone season day;
 - 3) Startup, shutdown and malfunction emissions of each regulated air pollutant in excess of typical emissions;
 - 4) Emission determination method for each of the actual emission figures reported; and
 - 5) Emission factors, where applicable.
- e) Operating data for each emission unit producing or capable of producing any regulated air pollutant, including:
- 1) Percent annual throughput by season;
 - 2) Annual process rate;
 - 3) Peak ozone season daily process rate for VOM and/or NO[x];
 - 4) Fuel data, such as heat content and other fuel characteristics;
 - 5) Physical characteristics of tanks, such as height and diameter;
 - 6) Tank data, such as throughput and material stored;
 - 7) Normal operating schedule, consisting of the following:
 - A) Hours per day;
 - B) Days per week;
 - C) Weeks per year; and
 - D) Hours per year.
- 8) Peak ozone season operating schedule for emission units that emit VOM or NO[x], consisting of the following:
- A) Hours per day;
 - B) Days per week;
 - C) Weeks per season; and

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required by Sections 254.130 and 254.303 of this Part, if a source has a total potential to emit 25 tons per year or more of either VOC or NO_x for all emission units, the owner or operator must provide the information required by Sections 254.130 and 254.303 for both VOC and NO_x.

2) For all regulated air pollutants emitted by the source except VOC and NO_x, the owner or operator shall submit to the Agency the information required by Section 254.130 of this Part.

b) At least ninety (90) days prior to a source's deadline for filing an Annual Emissions Report, the Agency shall provide to such source the Source Inventory Report and the Inventory Edit Summary, if applicable. The Source Inventory Report shall contain all data fields for the information required under Sections 254.130 and 254.303 of this Part. Where the information requested in the data fields has previously been provided to the Agency, the Agency shall provide this data on the Source Inventory Report for verification or modification by the owner or operator. Where the required information has not been previously provided by the owner or operator and is applicable to the activities, equipment or emissions of the source, it must be provided by the owner or operator. The information on emissions shall be based on the best information available to the owner or operator of that source or emission unit.

(Source: Repealed at 25 Ill. Reg. 9856, effective)

Section 254.302 Reporting Schedule (Repealed)

The filing deadline for the Annual Emissions Report for calendar year 1992 shall be October 1, 1993. Thereafter, reports for each calendar year shall be due by May 1 of the subsequent year.

(Source: Repealed at 25 Ill. Reg. 9856, effective)

Section 254.303 Contents of Subpart C Annual Emissions Report

The Annual Emissions Report to be filed pursuant to this Subpart C of this Part shall contain the following information:

a) Source identification information: All information required pursuant to Section 254.130 of this Part.

1) Source name, physical location and mailing address;

2) SIC code;

3) Source contact; and

4) Source contact telephone number.

b) Source-wide totals of actual emissions for all regulated air pollutants emitted by the source. Emissions information for each emission unit producing or capable of producing either VOC or NO_x or

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D) Hours per season.
E) Control device information, if any changes have occurred from the Annual Emissions Report for the prior year, including:

1) Description of the control method(s);

2) Capture efficiency in percent; and

3) Current control efficiency in percent for each regulated air pollutant.

g) Exhaust point parameters, if any changes have occurred from the Annual Emissions Report for the prior year, including:

1) Height;

2) Diameter;

3) Flow rate; and

4) Exit temperature.

h) Any additional data required to be reported as specified in permit condition(s) for the source.

(Source: Amended at 25 Ill. Reg. 9856, effective)

Section 254.204 Complete Reports

The Annual Emissions Report shall be considered complete if it contains the information required by Sections 254.130 and 254.203 of this Subpart Part for all regulated air pollutants emitted by the source to the extent that information is applicable to the activities, equipment or emissions of the source during the year for which the report is submitted. Information required by Section 254.130 and 254.203 of this Subpart Part and provided by the Agency in the Source Inventory Report must be either verified as accurate or modified by the owner or operator, to the extent the Source Inventory Report is relied upon by the owner or operator to compile the Annual Emissions Report. Information required by Sections 254.130 and 254.203 of this Subpart Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.

(Source: Amended at 25 Ill. Reg. 9856, effective)

SUBPART C: REPORTING REQUIREMENTS FOR OTHER SOURCES OP-VOC-OR-NO_x IN-OR-ONE-NONATTAINMENT-AREAS

Section 254.301 Annual Emissions Report (Repealed)

a) Commencing with calendar year 1992, the owner or operator of any source subject to Section 254.102(b) of this Part shall submit an Annual Emissions Report to the Agency detailing its actual emissions of regulated air pollutants.

i) For those emission units producing or capable of producing VOC or NO_x, the owner or operator shall provide the information

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both that includes:

- 1) Annual actual emissions of VOC and/or NO_x;
- 2) Actual VOC and/or NO_x emissions for a typical ozone season day;
- 3) Startup shutdown and malfunction emissions of VOC and/or NO_x;
- 4) Emission determination method for each of the actual emission figures reported;
- 5) Emission factors.

- c) The following certification statement, unless another statement is required to be submitted pursuant to the source's permit: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete." The certification statement shall be signed and dated by the certifying individual and accompanied by the printed full name, title, and a telephone number of the certifying individual. Operating data for each emission unit producing or capable of producing VOC or NO_x that includes:
 - 1) Percent annual throughput by season;
 - 2) Annual process rate;
 - 3) Peak ozone season daily process rate;
 - 4) Fuel data;
 - 5) Physical characteristics of tanks;
 - 6) Tank data;
 - 7) Number of hours of operation per day.
 - A) On the normal operating schedule;
 - B) On a typical ozone season day if different from the normal operating schedule;
 - 8) Number of days of operation per week.
 - A) On the normal operating schedule;
 - B) During the peak ozone season if different from the normal operating schedule;
 - 9) Total actual hours of operation for the reporting year;
- d) Control device information that includes:
 - 1) Description of control method(s);
 - 2) Capture efficiency in percent;
 - 3) Current control efficiency in percent for VOC and/or NO_x;
- e) Exhaust point parameters that include:
 - 1) Height;
 - 2) Diameter;
 - 3) Flow rate;
 - 4) Exit temperature.

(Source: Amended at 25 Ill. Reg. 9856, effective _____)

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Section 254.304 Transition to Full Reporting by Large Sources (Repealed)

Each source subject to Subpart C and which also satisfies the applicability requirements of Section 254.102(a) of this Part shall make the transition to full reporting for all regulated air pollutants pursuant to Subpart B of this Part and shall no longer be subject to Subpart C of this Part. The first such Annual Emissions Report filed for all regulated air pollutants shall be for the calendar year following the year in which the USEPA approves or conditionally approves the State's CAAPP program implemented pursuant to Section 39.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111-1/2, par. 1039.5) as amended by P.A. 87-1213, effective September 26, 1992 (415 ILCS 5/39.5). For example, if the USEPA approves or conditionally approves the CAAPP program in 1994, the first full Annual Emissions Report shall be for calendar year 1995 and shall be filed with the Agency by May 17, 1996. Thereafter, a full Annual Emissions Report conforming to the requirements of Subpart B of this Part shall be filed with the Agency for each calendar year by May 1 of the subsequent year.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.305 Continuing Requirements for Other Sources (Repealed)

Each source subject to Subpart C of this Part but which does not otherwise meet the applicability requirements of Section 254.102(a) of this Part shall not make the transition to full reporting but shall continue to file Annual Emissions Reports in accordance with Sections 254.301, 254.302, 254.303 and 254.306 of this Part.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.306 Complete Reports

The Annual Emissions Report under this Subpart shall be considered complete if it contains the information required by Section 254.303 of this Subpart and any additional data required to be reported as specified in permit condition(s), to the extent that the information is applicable to the activities, equipment or emissions of the source during the year for which the report is submitted. Information required by Section 254.303 of this Subpart and provided by the Agency in the Source Inventory Report must be either verified as accurate or modified by the owner or operator, to the extent the Source Inventory Report is relied upon by the owner or operator to compile their Annual Emissions Report. Information listed in Section 254.303 of this Subpart, but not provided by the Agency in the Source Inventory Report, must be provided by the owner or operator, unless the information has been previously provided to the Agency.
a) The Annual Emissions Report filed pursuant to Subpart C of this Part shall be considered complete if it contains all information listed in

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Sections 254.130 and 254.303 of this Part for emission units producing or capable of producing either VOC or NOx) or both to the extent that information is applicable to the activities, equipment or emissions of the source during the year for which the report is submitted. Information listed in Sections 254.130 and 254.303 of this Part and provided by the Agency must be either verified as accurate or modified by the source. Information listed in Sections 254.130 and 254.303 of this Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.

- b) For all regulated air pollutants emitted by the source except VOC and NOx, a complete report shall contain the information required pursuant to Section 254.130 of this Part. Information listed in Section 254.130 of this Part and provided by the Agency must be either verified as accurate or modified by the source. Information listed in Section 254.130 of this Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.

(Source: Amended at 25 Ill. Reg. 9856, effective _____)

SUBPART D: REPORTING REQUIREMENTS FOR SMALL SOURCES

Section 254.401 Annual Emissions Report (Repealed)

At least ninety (90) days prior to a source's deadline for filing an Annual Emissions Report, the Agency shall provide to such source the Source Inventory Report and the Inventory Edit Summary if applicable. The Source Inventory Report shall contain all data fields for the information listed at Section 254.403 of this Part. Where the information requested in the data fields has previously been provided to the Agency, the Agency shall provide this data on the Source Inventory Report for verification or modification by the owner or operator. Where the required information has not been previously provided by the owner or operator and is applicable to the activities, equipment or emissions of the source, it must be provided by the owner or operator. The information on emissions shall be based on the best information available to the owner or operator of the source or emission unit.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.402 Reporting Schedule (Repealed)

- a) The first Annual Emissions Report filed pursuant to Subpart B shall be for the calendar year 1992.
b) The filing deadline for the Annual Emissions Report to be filed pursuant to Subpart B of this Part for calendar year 1992 shall be

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October 17, 1993. Thereafter, reports for each calendar year shall be filed with the Agency by May 1 of the subsequent year. For example, the report filed for calendar year 1993 shall be due at the Agency by May 17, 1994.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.403 Contents of Subpart D Annual Emissions Report (Repealed)

The Annual Emissions Report required under Subpart B shall contain the information listed in Section 254.130 of this Part, including source identification information, the total actual emissions of each regulated air pollutant emitted by the source, and a complete certification statement.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

Section 254.404 Complete Reports (Repealed)

The Annual Emissions Report for Subpart B shall be considered complete if it contains the information required by Section 254.403 of this Part to the extent that information is applicable to the activities, equipment or emissions of the source during the year for which the report is submitted. Information required by Section 254.403 of this Part and provided by the Agency must be either verified as accurate or modified by the owner or operator. Information listed in Section 254.403 of this Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.

(Source: Repealed at 25 Ill. Reg. 9856, effective _____)

SUBPART E: SEASONAL EMISSIONS REPORT UNDER ERMS

Section 254.501 Contents of a Seasonal Emissions Report

- a) The owner or operator of a source subject to the seasonal emissions reporting requirements for ERMS required by 35 Ill. Adm. Code 205.300 must provide the following information:

- 1) Source identification information:
 - A) Source name, physical location and mailing address;
 - B) Name of Responsible Official; and
 - C) Source contact telephone number.

- 2) The following certification statement, unless another statement is required to be submitted pursuant to the source's permit: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in

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accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete." The certification statement shall be signed and dated by the responsible official and accompanied by her or his printed full name, title, and a telephone number.

- 3) Total actual seasonal VOM emissions, excluding emission units exempt under 35 Ill. Adm. Code 205.220, and including identification of the following:

- A) Emissions from units included in the ERMS baseline determination;
- B) Emissions from units permitted prior to January 1, 1998, but not yet included in the ERMS baseline;
- C) Emissions attributable to major modifications;
- D) Emissions from emergency conditions approved in accordance with 35 Ill. Adm. Code 205.750(c); and
- E) Excess emissions allowed by variance, consent order or CAAPP permit compliance schedule.

- 4) The following information must be provided for each emission unit addressed in subsection (a)(3) of this Section:

- A) Name of each emission unit;
- B) Actual seasonal production or material usage;
- C) Method of emissions calculation; and
- D) Actual seasonal VOM emissions.

- b) The owner or operator of a participating source or new participating source under 35 Ill. Adm. Code 205 must provide total seasonal actual emissions of hazardous air pollutants (HAPs) that are also VOM for the following HAPs:

- 1) Each VOM HAP that is regulated at the source by MACT or a NESRAP;
- 2) Each VOM HAP for which the source is considered a major source based on emissions of a single HAP or combination of HAPs under section 112 of the Clean Air Act (42 USC 7412); and
- 3) Each VOM HAP reported as an air emission on the Toxic Chemical Release Inventory Reporting Form (42 USC 1123) (Form RI), unless the owner or operator certifies that seasonal emissions of each such VOM HAP are approximately 5/12 of annual emissions and are estimated to be no more than 10 percent different from air releases of such VOM HAPs reported in the previous Form RI.

- c) The owner or operator of each participating source or new participating source under 35 Ill. Adm. Code 205 must provide responses to the following questions regarding VOM HAPs for the seasonal allotment period addressed in the Seasonal Emissions Report:

- 1) To your knowledge, did emissions of any HAP increase at your source due to receipt or expected receipt of additional Allotment Trading Units (ATUs)?
- 2) Based on information for determining if your source emitted a HAP

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that must be reported pursuant to subsection (b) of this Section, or information that you otherwise obtained, did your source emit any VOM HAP in an amount of 1,000 pounds per year or more that is not subject to the reporting requirements in subsection (b) of this Section?

- 3) Since the due date of the last Seasonal Emissions Report required to be submitted, has the source replaced a VOM with a HAP that is not a VOM?

- d) HAP Information Request Letter

1) If a participating source or new participating source has answered at least one of the questions in subsection (c) of this Section affirmatively, the Agency may send a HAP Information Request Letter to that source to obtain additional information to evaluate trends and spatial distribution of HAP emissions if the Agency deems such information is needed to further evaluate HAP emissions during the seasonal allotment period. The Agency must consider the following factors in determining whether to send a HAP Information Request Letter:

- A) Information on emissions amounts previously submitted in Annual Emissions Reports or Form RI;
- B) Information obtained during inspections of the facility by the Agency or pursuant to the Clean Air Act;
- C) Affirmative responses to the questions in subsection (c) of this Section; and
- D) The type or location of industrial activity.

- 2) Each source that receives a HAP Information Request Letter from the Agency must submit the requested information to the Agency within 30 days after the date of the letter.

(Source: Added at 25 Ill. Reg. 9856.03 effective _____)

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NOTICE OF ADOPTED RULES

1) Heading of the Part: Incidental Taking of Endangered or Threatened Species2) Code Citation: 17 Ill. Adm. Code 10803) Section Numbers: Adopted Action:

1080.10 New Section

1080.20 New Section

1080.30 New Section

1080.40 New Section

1080.50 New Section

1080.60 New Section

1080.70 New Section

1080.80 New Section

4) Statutory Authority: Implementing and authorized by Section 5.5 of the Illinois Endangered Species Protection Act [520 ILCS 10/5.5].5) Effective Date of Rules: July 17, 20016) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? No8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.9) Notice of Proposal Published in Illinois Register: April 13, 2001, 25 Ill. Reg. 522010) Has JCAR issued a Statement of Objection to these rules? No11) Differences between proposal and final version:

In Section 1080.10, changed "animals" to "endangered and threatened species".

In Section 1080.10(a)(1)(A), added ", if available, or detailed description including street address" following "legal description".

In Section 1080.10(a)(2)(E), removed subsection and re-labeled subsequent subsections.

In Section 1080.10(a)(5), added "and signatures" following "names".

In Section 1080.20(a)(2), added the following at the end of the subsection: "Any late-breaking or additional information will be considered part of the conservation plan for purposes of this Part."

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In Section 1080.20(c)(1), deleted "and at the Springfield offices of the Department."

In Section 1080.20(d), added the following at the end of the subsection: "The Department shall maintain a permanent list of those persons or organizations that wish to be notified of all conservation plans it receives."

In Section 1080.30, added the following at the end of the subsection: "The applicant shall evaluate the public comments received from the Department and shall submit an analysis of the comments no later than 10 days after the close of the public comment period. The analysis shall include a list of all persons or organizations making comment; a list of the criticisms, suggestions and comments raised; and the applicant's analysis of each criticism, suggestion or comment. The analysis shall also include a description of any revision to the Conservation Plan that the applicant is making in response to public comment. The comments and the applicant's analysis may be used by the Department pursuant to Section 1080.30 to support any additional measures that may be necessary or appropriate to assure the success of the Conservation Plan."

In Section 1080.40(a)(3), changed "(G)" to "(F)".

In Section 1080.40(b), changed "criteria" to "plan".

In Section 1080.80(b), deleted "or its additional assurances, terms and conditions."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements? Yes13) Will this rulemaking replace an emergency rule currently in effect? No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Rulemaking: Amendments to the Endangered Species Protection Act gave the Department the authority to allow taking of endangered or threatened species when the taking is incidental to the carrying out of an otherwise lawful activity. This rule is needed to give potential applicants for incidental take authorization clear and complete instructions for the development of a conservation plan and to make those applicants aware of their obligations under the amended Act. The rule also defines the responsibilities of the Department in reviewing applications for incidental take authorization and monitoring the success of conservation plans. There has been great public interest in this process and the rule will help to satisfy the concerns of those who fear that incidental take could result in the reduction of numbers of some endangered species.

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- 16) Information and questions regarding these adopted rules shall be directed to:

Stanley Yonkausk, Jr.
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

The full text of the adopted rules begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER C: ENDANGERED SPECIES

PART 1080

INCIDENTAL TAKING OF ENDANGERED OR THREATENED SPECIES

| | |
|---------|---|
| Section | Conservation Plan |
| 1080.10 | Conservation Plan |
| 1080.20 | Notice and Review of Conservation Plans |
| 1080.30 | Comments |
| 1080.40 | Final Review |
| 1080.50 | Notice of Decision |
| 1080.60 | Effective Date, Term |
| 1080.70 | Separability, Exclusions |
| 1080.80 | Appeal, Revocation |

AUTHORITY: Implementing and authorized by Section 5.5 of the Illinois Endangered Species Protection Act [520 ILCS 10/5.5].

SOURCE: Adopted at 25 Ill. Reg. 9877, effective _____.

Section 1080.10 Conservation Plan

Incidental taking of endangered and threatened species shall be authorized by the Department of Natural Resources (Department) only if the applicant submits to the Department a conservation plan that satisfies all criteria established in this Part.

- a) A conservation plan submitted to the Department's Office of Resource Conservation as the application for authorization for incidental taking of an endangered or threatened species shall, at a minimum, include:
 - 1) A description of the impact likely to result from the proposed taking of the species that would be covered by the authorization, including but not limited to:
 - A) legal description, if available, or detailed description including street address and map of the area to be affected by the proposed action and indicia of ownership or control of affected property;
 - B) biological data on the affected species; on request of the applicant, the Department shall provide biological data in the Department's possession on the affected species;
 - C) description of the activities that will result in taking of an endangered or threatened species; and
 - D) explanation of the anticipated adverse effects on listed species.
 - 2) Measures the applicant will take to minimize and mitigate that

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impact and the funding that will be available to undertake those measures, including, but not limited to:

- A) plans to minimize the area affected by the proposed action, the estimated number of individuals of an endangered or threatened species that will be taken and the amount of habitat affected;
- B) plans for management of the area affected by the proposed action that will enable continued use of the area by endangered or threatened species;
- C) description of all measures to be implemented to minimize or mitigate the effects of the proposed action on endangered or threatened species;
- D) plans for monitoring the effects of measures implemented to minimize or mitigate the effects of the proposed action on endangered or threatened species;
- E) adaptive management practices that will be used to deal with changed or unforeseen circumstances that affect the effectiveness of measures instituted to minimize or mitigate the effects of the proposed action on endangered or threatened species; and
- F) verification that adequate funding exists to support and implement all mitigation activities described in the conservation plan. This may be in the form of bonds, certificates of insurance, escrow accounts or other financial instruments adequate to carry out all aspects of the conservation plan.

3) A description of alternative actions the applicant considered that would not result in take, and the reasons that each of those alternatives was not selected. A "no-action" alternative shall be included in this description of alternatives.

4) Data and information to indicate that the proposed taking will not reduce the likelihood of the survival of the endangered or threatened species in the wild within the State of Illinois, the biotic community of which the species is a part or the habitat essential to the species existence in Illinois.

5) An implementing agreement, which shall include, but not be limited to:

- A) the names and signatures of all participants in the execution of the conservation plan;
- B) the obligations and responsibilities of each of the identified participants with schedules and deadlines for completion of activities included in the conservation plan and a schedule for preparation of progress reports to be provided to the Department;
- C) certification that each participant in the execution of the conservation plan has the legal authority to carry out their respective obligations and responsibilities under the conservation plan;

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D) assurance of compliance with all other federal, State and local regulations pertinent to the proposed action and to execution of the conservation plan; and

E) copies of any final federal authorizations for a taking already issued to the applicant, if any.

b) The Department, after review and public comment, may require additional measures as necessary or appropriate to the success of the conservation plan. Requirements for additional measures shall be based on the life history needs of the species involved.

c) A Habitat Conservation Plan approved by the U.S. Fish and Wildlife Service pursuant to Section 10 of the Endangered Species Act of 1973 [26 USC 1539], and amendments thereto, may be submitted in lieu of the conservation plan described in this Section.

d) Authorization to take an endangered or threatened species under the terms of a biological opinion issued by the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act of 1973 [26 USC 1536], and amendments thereto, or regulations implementing Section 7 [50 CFR 402] may be submitted in lieu of the conservation plan described in this Section.

Section 1080.20 Notice and Review of Conservation Plans

a) After receipt of a conservation plan, the Department shall, within 30 days, review the conservation plan to determine if all required information has been provided by the applicant and:

1) acknowledge receipt of the complete conservation plan in writing; or

2) notify the applicant in writing of any deficiencies in the conservation plan and provide the applicant an opportunity to supply additional information to the Department. Any late-breaking or additional information will be considered part of the conservation plan for purposes of this Part.

b) When the applicant is notified by the Department that the conservation plan is complete as defined in this Part, the applicant shall place a notice in a local newspaper of general circulation in the locality of the proposed action at least once a week for 3 consecutive weeks. At least 14 days shall elapse between the first and last publications of the notice. The notice shall also be published one time in the official State newspaper, concurrent with the first publication in a local newspaper of general circulation. A copy of the notice as it will appear in the newspaper shall be submitted to the Department for approval before the first publication. The notice shall include, at a minimum, the following:

- 1) the name and mailing address of the applicant;
- 2) a map or description that clearly shows or describes the precise location and boundaries of both the area to be affected by the proposed project and any areas to be affected by provisions of the conservation plan and is sufficient to enable local residents

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to readily identify the subject areas. It must include towns, bodies of water, local landmarks, or any other information that would identify the subject areas. If a map is used, it shall indicate the north direction;

- 3) a summary of the incidental taking for which authorization is being requested;
- 4) a summary of the measures that will be instituted to minimize and mitigate the effects of the proposed incidental taking;
- 5) the location where a copy of the conservation plan is available for inspection;
- 6) the street and e-mail address of the office of the Department to which comments on the conservation plan may be submitted; and
- 7) the closing date for receipt of written comments on the conservation plan.

c) The applicant shall:

- 1) provide copies of the conservation plan to be available for review at the nearest public library in the county or counties in which the proposed action will occur. Copies distributed for public review shall not include any trade secrets as defined by the Illinois Trade Secrets Act [765 ILCS 1065/2(d)]; and
- 2) provide copies of the conservation plan to the Executive Director of the Illinois Endangered Species Protection Board (Board).

- d) After the applicant's public notice is approved by the Department, the Department shall provide notice of the receipt of the conservation plan to any person who has requested notice. The Department shall maintain a permanent list of those persons or organizations that wish to be notified of all conservation plans it receives.

Section 1080.30 Comments

Written comments on a conservation plan may be submitted to the Department by any person within 30 days after the last publication of the notice required by Section 1080.20(b). Comments will be accepted by electronic mail upon confirmation of authorship. The Department shall, upon receipt of written comments, transmit a copy of the comments to the applicant. The applicant shall evaluate the public comments received from the Department and shall submit an analysis of the comments no later than 10 days after the close of the public comment period. The analysis shall include a list of all persons or organizations making comment; a list of the criticisms, suggestions and comments raised; and the applicant's analysis of each criticism, suggestion or comment. The analysis shall also include a description of any revision to the Conservation Plan that the applicant is making in response to public comment. The comments and the applicant's analysis may be used by the Department pursuant to Section 1080.30 to support any additional measures that may be necessary or appropriate to assure the success of the Conservation Plan.

Section 1080.40 Final Review

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- a) The Department's Office of Resource Conservation shall coordinate and perform the review of the conservation plan and issue the incidental take authorization pursuant to this Part. The Department shall complete its review of the conservation plan within 120 days after the first publication of the notice required in Section 1080.20(b). After reviewing the conservation plan, the Department may authorize the incidental taking if the Department finds that the taking will meet all of the following requirements:

- 1) the taking will not be the purpose of, but will be only incidental to, the carrying out of an otherwise lawful activity;
 - 2) the parties to the conservation plan will, to the maximum extent practicable, minimize and mitigate the impact caused by the taking;
 - 3) the parties to the conservation plan will ensure that adequate funding for the conservation plan will be provided as described in Section 1080.10(a)(2)(F);
 - 4) based on the best available scientific data, the Department has determined that the taking will not reduce the likelihood of the survival of the endangered species or threatened species in the wild within the State of Illinois, the biotic community of which the species is a part, or the habitat essential to the species' existence in Illinois;
 - 5) any additional measures, based upon the life history needs of the species involved, that the Department may require as necessary or appropriate for the purposes of the conservation plan will be performed;
 - 6) the public has received notice of the availability of the conservation plan and has had the opportunity to comment before the Department made any decision regarding the authorization of incidental take; and
 - 7) the Department has sought the advice of the Board and provided written response to any Board comments regarding the issuance of authorization for incidental taking and on the terms of any authorization to be issued.
- b) If the Department finds that the conservation plan does not meet the above requirements, the Department may require that a party to the conservation plan make additional assurances or agree to additional terms and conditions that the Department finds necessary to assure that the requirements in subsections (a)(1) through (a)(6) will be met before authorizing incidental taking. Requirements for inclusion of additional assurances in a conservation plan shall be based on the life history needs of the species involved. The Department shall deny an authorization for incidental taking if the conservation plan does not meet the requirements of subsection (a) and the applicant refuses to accept the additional terms and conditions or refuses to make additional assurances determined necessary by the Department.

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- a) The Department shall provide written notice to the applicant of the approval or denial of authorization for incidental taking. The written notice shall constitute the authorization for incidental taking or the denial of the authorization for incidental taking is effective as of the date of execution by the Director of the Department's Office of Resource Conservation.
- b) The Department shall make available to any person who requests it a copy of any written notice authorizing incidental taking.

Section 1080.60 Effective Date, Term

Any authorization for incidental take issued pursuant to 520 ILCS 10/5.5 and this Part shall have an effective date and term. The term of the authorization for incidental take shall be sufficient to assure that the terms and conditions of the authorization and the measures described in the conservation plan may be fully executed and that monitoring of the effects of those measures can be carried out for a length of time that will determine their adequacy for protection and enhancement of the endangered or threatened species.

Section 1080.70 Separability, Exclusions

- a) Authorization for incidental taking shall be separate and distinct from any other action of the Department. Issuance of any permit, license or authorization by the Department under any authority other than that granted in Section 5.5 of the Illinois Endangered Species Protection Act shall not constitute authorization for incidental take. Issuance of any permit, license or authorization by the Department under any authority other than that granted in Section 5.5 of the Illinois Endangered Species Protection Act shall not be interpreted as an assurance that incidental take authorization will be issued.
- b) Certain activities that are planned, designed and executed for the benefit of one or more endangered or threatened species and may result in the incidental take of individuals of those species are exempt from the provisions of this Section. Exempt activities shall be those listed in 17 Ill. Adm. Code 1075.30(c). The Department shall have the right to require persons carrying out such activities to submit information to justify the claimed exemption from this Section.

Section 1080.80 Appeal, Revocation

- a) The applicant may appeal a denial of authorization for incidental taking. Such appeal shall be heard pursuant to Subpart C of 17 Ill. Adm. Code 2530 - Department Formal Hearings for Rulemaking and Contested Cases.
- b) Authorization issued under this Part may be revoked by the Department for failure to implement any provision of the conservation plan. The Department shall issue notice of the revocation and, if requested by the permittee, may conduct a hearing on the revocation pursuant to

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Subpart C of 17 Ill. Adm. Code 2530 - Department Formal Hearings Conducted for Rulemaking and Contested Cases. Revocation of a permit may subject the permittee to criminal penalties as provided in the Endangered Species Protection Act if a taking is found subsequent to the revocation or if the taking is proximate to the failure to implement the conservation plan.

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- 1) Heading of the Part: Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping
- 2) Code Citation: 17 Ill. Adm. Code 570
- 3) Section Numbers: 570.40
Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33, and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33, and 3.5].
- 5) Effective Date of Rulemaking: July 17, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: April 13, 2001, 25 Ill. Reg. 5228
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rulemaking currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to modify hunting opportunities at specific sites, reflect the name change for Jim Edgar Panther Creek State Fish and Wildlife Area, and add a new site.
- 16) Information and questions regarding this adopted amendment shall be directed to: Jack Price
Department of Natural Resources
524 S. Second Street, Room 430 217/782-1809
Springfield IL 62701-1787

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NOTICE OF ADOPTED AMENDMENT

The full text of the adopted amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 570

MUSKRAT, MINK, RACCOON, OPOSSUM, STRIPED SKUNK, WEASEL,
RED FOX, GRAY FOX, COYOTE, BADGER, BEAVER AND WOODCHUCK (GROUNDHOG)
TRAPPING

- Section
570.10 Statewide Zones
570.20 Statewide Season Dates
570.30 Statewide Hours, Daily Limit and Possession Limit
570.35 Use of .22 Rimfire Rifles by Trappers During Deer Gun Season
570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 9767, effective September 17, 1981; codified at 5 Ill. Reg. 10637; amended at 6 Ill. Reg. 10709, effective August 20, 1982; amended at 7 Ill. Reg. 10778, effective August 24, 1983; amended at 8 Ill. Reg. 21589, effective October 23, 1984; amended at 9 Ill. Reg. 15864, effective October 7, 1985; amended at 10 Ill. Reg. 16644, effective September 24, 1986; amended at 12 Ill. Reg. 12034, effective July 7, 1988; emergency amendments at 12 Ill. Reg. 16261, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. 10589, effective June 15, 1989; amended at 14 Ill. Reg. 14775, effective September 4, 1990; amended at 14 Ill. Reg. 19854, effective December 3, 1990; amended at 15 Ill. Reg. 11586, effective August 2, 1991; amended at 16 Ill. Reg. 11069, effective June 30, 1992; amended at 17 Ill. Reg. 10785, effective July 1, 1993; amended at 17 Ill. Reg. 18796, effective October 19, 1993; amended at 18 Ill. Reg. 10077, effective June 21, 1994; amended at 19 Ill. Reg. 12640, effective August 29, 1995; amended at 20 Ill. Reg. 12351, effective August 30, 1996; amended at 21 Ill. Reg. 9070, effective June 26, 1997; amended at 22 Ill. Reg. 14809, effective August 3, 1998; amended at 23 Ill. Reg. 9055, effective July 28, 1999; amended at 24 Ill. Reg. 8929, effective June 19, 2000; amended at 25 Ill. Reg. 9887, effective 11/17/01.

NOTE: In this Part, unless the context clearly indicates otherwise, superscript numbers or letters are denoted by parentheses and subscript are denoted by brackets.

Section 570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

- a) General Regulations
1) All the regulations in 17 Ill. Adm. Code 510--General Hunting

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and Trapping apply in this Section, unless this Section is more restrictive.

- 2) On areas where special Department tags are required for trappers, traps without tags attached will be subject to confiscation.
- 3) Trappers must stay within assigned areas.
- 4) For sites where permits are required a drawing shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement and the drawing must have either a current or previous year trapping license. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20. Permit applicants must submit name and address to the site prior to drawing. Permits must be in possession while trapping on the area.
- 5) All sites except Blanding Wildlife Area, Kinkaid Lake Fish and Wildlife Area, Mississippi River Pools 16, 17, 18, 21, 22, 24, and Rend Lake Wildlife Management Area require trappers to submit a harvest report to the site superintendent within 20 days following the close of the trapping season. Failure to report shall result in the trapper being ineligible to trap at that site for the following year.
- 6) Body-gripping traps with a 10-inch jaw spread or larger must be totally submerged in water when set.
- 7) Any person who violates the site specific regulations shall be guilty of a Class B Misdemeanor.
- 8) No trapping is permitted in subpondments or designated waterfowl management units during duck season.
- b) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses):

Blanding Wildlife Area (trapping area includes the islands and associated backwater sloughs immediately upstream from Lock and Dam 12; no trapping on mainland)

Kinkaid Lake Fish and Wildlife Area

Mississippi River Pools 16, 17, 18, 21, 22, 24

Pyramid State Park (water sets only)

Ray Norbut State Fish and Wildlife Area (all trapping closes December 15 in Eagle Roost Area)

Rend Lake Project Lands and Waters (water sets only)

Sielbeck Forest Natural Area (water sets only)

Siloam Springs State Park

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- c) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps (Registered Trademark), D-P (Dog-Proof) Traps (Registered Trademark), box traps, cage traps, and traps of similar design may be used for land sets (exceptions in parentheses):

Cache River State Natural Area

Carlyle Lake Lands and Waters - Corps of Engineers Managed Lands

Carlyle Lake Wildlife Management Area

Clinton Lake Recreation Area

~~Coffeen-Lake-State-Fish-and-Wildlife-Area~~

Cypress Pond State Natural Area

Dog Island Wildlife Management Area

East Conant Field

Eldon Hazlet State Park - north of Allen Branch and west of Peppenhorst Branch only

Ferne Clyffe State Park - Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site

Harry "Babe" Woodyard State Natural Area

Horseshoe Lake Conservation Area

I & M Canal State Park

Jim Edgar Panther Creek State Fish and Wildlife Area (only Egg Traps (Registered Trademark), D-P (Dog-Proof) Traps (Registered Trademark), box traps, cage traps, traps of similar design, and homemade dog-proof traps; homemade dog-proof traps must be designed with a leg hold trap no larger than a number two size in an enclosed wood, metal or durable plastic container with a single access opening of no larger than 1 1/2 inch diameter)

Jim Edgar Panther Creek State Fish and Wildlife Area (West Open Unit)

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to duck season)

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Kidd Lake State Natural Area

Lake Murphysboro State Park

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area

Mermet Lake Fish and Wildlife Area

Mississippi River Fish and Waterfowl Area (Pools 25, 26) (land sets accessed by land only allowed during duck season; water sets allowed after duck season closes)

Moraine Hills State Park (water sets only; only body-gripping traps with a jaw spread of 5 inches or less may be used; no more than two persons may enter drawing on a single card)

Panther-Creek-Conservation-Area

Peabody River King Fish and Wildlife Area (east, west, and south subunits only)

Randolph County Conservation Area

Redwing Slough/Deer Lake State Natural Area (water sets only; only body gripping traps with a jaw spread of 5-6 inches or less may be used)

Sanganois Fish and Wildlife Area

Sate-Field

Ten Mile Creek State Fish and Wildlife Area

Turkey Bluffs Fish and Wildlife Area

Washington County Conservation Area

- d) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps (Registered Trademark), D-P (Dog-Proof) Traps (Registered Trademark), box traps, cage traps, and traps of similar design may be used for land sets; only body-gripping traps with a jaw spread of 5 inches or less, foothold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets (exceptions in parentheses):

Anderson Lake Conservation Area

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Argyle Lake State ParkBanner Marsh State Fish and Wildlife AreaBeaver Dam State Park

Big Bend Fish and Wildlife Area (after the close of rabbit season
 foothold traps with a jaw spread of 7 1/2 inches or less may be
 used for water sets)

Coffeen Lake State Fish and Wildlife AreaColeta PondsGiant City State Park

Hennepin Canal Parkway including Mississippi Lake (trappers must
 register at park office; no floats may be set more than 14 days
 prior to the season and must be removed at the conclusion of the
 season; no land sets)

Horseshoe Lake State Park-Madison CountyJohnson-Sauk Trail State ParkLake Le-Aqua-Na State ParkMackinaw River State Fish and Wildlife Area (water sets only)Marshall County Fish and Wildlife AreaMorrison Rockwood State ParkRice Lake Fish and Wildlife AreaRock Cut State ParkSam Dale Lake Conservation AreaSangchris Lake State ParkShabbona Lake State ParkSparland Fish and Wildlife areaSpring Lake Conservation Area (water sets only)Starved Rock/Matthiessen State Park

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Stephen A. Forbes State ParkTrail of Tears State ForestUnion County Conservation Area

e) Trapping is prohibited on all other Department-owned, -leased or
 -managed sites except by special permit which shall be issued by the
 Department when it is determined that the harvest of a species would
 enhance the biological balance of the resource.

- 1) All regulations shall be according to species regulations as
 provided for in this part.
- 2) Permit application information and site specific regulations
 shall be announced publicly by the Department through the news
 media by September 1 of each year.
- 3) Site specific regulations shall be listed on the application and
 permit and posted at the site.

(Source: Amended at 25 Ill. Reg. 9887-2 effective
 JUL 17 2001)

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1) Heading of the Part: Raccoon, Opossum, Striped Skunk, Red Fox, Grey Fox, Coyote and Woodchuck (Groundhog) Hunting

2) Code Citation: 17 Ill. Adm. Code 550

3) Section Numbers: 550.30
Adopted Action: Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

5) Effective Date of Rulemaking: July 17, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: April 13, 2001, 25 Ill. Reg. 5236

10) Has JCAR issued a Statement of Objection to this amendment? No

11) Differences between proposal and final version: In Section 550.30(g), Green River, changed "rifles" to "firearms".

In Section 55.30(g), Ten Mile Creek, added "; .22 caliber rimfire firearms permitted 24 hours a day".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace an emergency rulemaking currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: Amendments were made to this Part to correct site names and amend site language to increase hunting opportunities.

16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

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Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 550

RACCOON, OPOSSUM, STRIPED SKUNK, RED FOX, GRAY FOX, COYOTE
AND WOODCHUCK (GROUNDHOG) HUNTING

Section

550.10 General Regulations

550.20 Statewide Regulations

550.30 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

SOURCE: 5 Ill. Reg. 8833, effective August 25, 1981; codified at 5 Ill. Reg. 10636; emergency amendment at 5 Ill. Reg. 11593, effective October 20, 1981, for a maximum of 150 days; emergency expired March 17, 1982; amended at 6 Ill. Reg. 10714, effective August 20, 1982; amended at 7 Ill. Reg. 10782, effective August 24, 1983; amended at 7 Ill. Reg. 16098, effective November 22, 1983; amended at 8 Ill. Reg. 21593, effective October 23, 1984; amended at 9 Ill. Reg. 16204, effective October 9, 1985; emergency amendment at 9 Ill. Reg. 18151, effective November 12, 1985, for a maximum of 150 days; emergency expired April 11, 1986; amended at 10 Ill. Reg. 16649, effective September 22, 1986; amended at 11 Ill. Reg. 9540, effective May 5, 1987; amended at 12 Ill. Reg. 11730, effective June 30, 1988; amended at 13 Ill. Reg. 10598, effective June 19, 1989; amended at 14 Ill. Reg. 10798, effective June 20, 1990; amended at 15 Ill. Reg. 11598, effective August 2, 1991; amended at 16 Ill. Reg. 11078, effective June 30, 1992; amended at 17 Ill. Reg. 10795, effective July 1, 1993; amended at 18 Ill. Reg. 10090, effective June 21, 1994; amended at 19 Ill. Reg. 11787, effective August 3, 1995; amended at 20 Ill. Reg. 10874, effective August 5, 1996; amended at 21 Ill. Reg. 9077, effective June 26, 1997; amended at 22 Ill. Reg. 14836, effective August 3, 1998; amended at 23 Ill. Reg. 9066, effective July 28, 1999; amended at 24 Ill. Reg. 8938, effective June 19, 2000; amended at 25 Ill. Reg. 9895 - 7, effective ~~July 17, 2000~~.

Section 550.30 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510-General Hunting and trapping apply in this Section, unless this Section is more restrictive.
- b) For sites where hunter quotas exist and permits are required a drawing shall be held prior to the opening of the season. The date of the

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drawing shall be announced by the Department by public announcement and the drawing shall be held at the site. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20.

- c) .22 rimfire firearms permitted from sunset to sunrise unless otherwise specified.
- d) Coyote and striped skunk season shall coincide with the statewide fox season unless otherwise specified.
- e) No woodchuck (groundhog) hunting allowed unless otherwise specified.
- f) Statewide regulations as provided for in this rule apply at the following sites (exceptions are in parentheses):

Anderson Lake Conservation Area (all hunting to begin after the close of duck season)

Apple River Canyon State Park

Argyle Lake State Park

Banner Marsh State Fish and Wildlife Area

Big Bend State Fish and Wildlife Area

Big River State Forest

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers Management Lands

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Cypress Pond State Natural Area

Dog Island Wildlife Management Area

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch)

Ferne Clyffe State Park - Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only)

Horseshoe Lake Conservation Area - Alexander County (Public Hunting Area except Controlled Hunting Area)

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I-24 Wildlife Management Area

Jim Edgar Panther Creek State Fish and Wildlife Area (West Open Unit) (statewide seasons for coyote and striped skunk)

Johnson Sauk Trail State Recreation Area Park (archery only; coyote and fox only; site coyote season runs concurrently with the site archery deer season; site fox season begins when the statewide fox season opens, runs concurrently with the site archery deer season, and closes the earlier of either the statewide fox season closing or the site archery deer season closing season-shall-coincide-with-archery-deer--season-on--this site)

Kaskaskia River State Fish and Wildlife Area (Dora Creek Waterfowl Management Area closed 7 days prior to and during duck season)

Kinkaid Lake Fish and Wildlife Area

Marseilles Wildlife Area (coyote and fox only; fox statewide season or closes first Thursday after January 10, whichever comes first; coyote open concurrent with fox season; hunting hours are one half hour before sunrise until sunset)

Marshall County Fish and Wildlife Area (raccoon, opossum only; season opens day after duck season)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18, 21, 22 and 24 (groundhog hunting allowed) (c)

Oakford Conservation Area

Panther-Creek-Conservation-Area-(statewide-seasons-for-coyote-and striped-skunk)

Peabody River King State Fish and Wildlife Area (West subunit only)

Randolph County Conservation Area

Ray Norbut State Fish and Wildlife Area (all hunting closes December 15 in Eagle Roost Area)

Rend Lake Project Lands and Waters

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Sangamon County Conservation Area

Shawnee National Forest, Oakwood Bottoms and LaRue Scatters (season closes 7 days before opening of duck season and remains closed through the duck season; at Oakwood Bottoms non-toxic shot only)

Sielbeck Forest Natural Area

Siloam Springs State Park

Tapley Woods State Natural Area (shotguns or muzzleloading rifles only may be used from sunset - sunrise)

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildlife Area

Washington County Conservation Area

Weinburg-King State Park (c)(d)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (coyote only; season shall coincide with archery and firearm deer season at this site; archery only during the archery season at this site)

Woodford County Fish and Wildlife Area (raccoon, opossum only; season opens after duck season)

g) Statewide regulations apply except that hunters must obtain a permit from the Department; where hunter quotas exist, permits are allocated as described in subsection (b); permits must be in possession while hunting; the permit must be returned by February 15 or hunter will forfeit hunting privileges at that site the following year (exceptions are in parentheses):

Chauncey Marsh (obtain permit at Red Hills State Park Headquarters)

Clinton Lake State Recreation Area

Coffeen Lake State Fish and Wildlife Area (coyote only, shotgun or bow and arrow only)

Crawford County Conservation Area

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Eagle Creek State Park (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)

East Conant Field

Fox Ridge State Park

Green River State Wildlife Area (~~fox~~~~-striped-skunk~~~~---and---coyote~~
~~open---January-17~~ skunk and coyote close the last day of February;
.22 rimfire firearms permitted from 30 minutes after sunset until
30 minutes before sunrise)

Hamilton County Conservation Area

Harry "Babe" Woodyard State Natural Area

Hidden Springs State Forest

Iroquois County Wildlife Management Area (season opens the day after Permit Pheasant Season)

Jim Edgar Panther Creek State Fish and Wildlife Area (statewide seasons for coyote and striped skunk)

Kankakee River State Park (no rifle or handgun hunting allowed; the furbearer hunting season opens the day after the last day of the site's upland hunting seasons through statewide close of respective seasons for furbearers except striped skunk and coyote close with fox season)

Kickapoo State Park

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Areas

Lincoln Trail State Park (season opens day after second firearm deer season; closes December 20; hunting hours sunset to sunrise only; raccoon only)

Middle Fork Fish and Wildlife Management Area

Moraine View State Park (season opens after site's controlled pheasant season; night hunting only)

Ramsey Lake State Park

Saline County Fish and Wildlife Area

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Sam Parr State Park

Sand Ridge State Forest (coyote and striped skunk seasons - opening of the statewide racoon season until the day before opening of the statewide spring turkey season)

Sanganois State Fish and Wildlife Area (statewide seasons for coyote and striped skunk)

Sangchris Lake State Park (fox, coyote and striped skunk hunting only; statewide seasons for fox, coyote and striped skunk except, during central zone duck and Canada goose season, hunters pursuing waterfowl or upland game may take fox, coyote and striped skunk with shotgun only in accordance with site-specific regulations set forth in 17 Ill. Adm. Code 530 and 590)

Sate-Pteid

Stephen A. Forbes State Park

Ten Mile Creek State Fish and Wildlife Area (statewide coyote, striped skunk, and groundhog hunting allowed; .22 rimfire firearms permitted 24 hours a day)

Walnut Point Fish and Wildlife Management Area (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)

Wolf Creek State Park (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)

(Source: Amended at 25 Ill. Reg. 9895 effective)

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- 1) Heading of the Part: Squirrel Hunting
- 2) Code Citation: 17 Ill. Adm. Code 690
- 3) Section Numbers: Adopted Action:
690.30 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

5) Effective Date of Rulemaking: July 17, 2001

6) Does this amendment contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: April 27, 2001, 25 Ill. Reg. 5705

10) Has JCAR issued a Statement of Objection to this amendment? No

11) Differences between proposal and final version:
Section 690.30(d), Jim Edgar - deleted parentheses and added a dash prior to "West"

Section 690.30(d), Shawnee - replaced the comma with a dash

Section 690.30(e) and (f) - replaced "to" with "through"

Section 690.30(h), added "Siloam Springs State Park - Buckhorn Unit (1)(2)"

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This Part was amended to update site-specific information, reflect the renaming of Panther Creek Conservation Area to Jim Edgar Panther Creek State Fish and Wildlife Area, add additional sites open to hunting and remove sites closed to hunting.

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16) Information and questions regarding this adopted amendment shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 690
SQUIRREL HUNTING

| Section | |
|---------|---|
| 690.10 | Hunting Seasons |
| 690.20 | Statewide Regulations |
| 690.30 | Regulations at Various Department-Owned or -Managed Sites |

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8017, effective July 24, 1981; codified at 5 Ill. Reg. 10642; emergency amendment at 5 Ill. Reg. 11382, effective October 14, 1981, for a maximum of 150 days; emergency expired March 12, 1982; amended at 6 Ill. Reg. 9642, effective July 21, 1982; amended at 7 Ill. Reg. 8809, effective July 15, 1983; emergency amendment at 7 Ill. Reg. 9690, effective August 1, 1983, for a maximum of 150 days; emergency expired December 29, 1983; amended at 8 Ill. Reg. 16789, effective August 30, 1984; amended at 9 Ill. Reg. 11614, effective July 16, 1985; amended at 10 Ill. Reg. 15601, effective September 16, 1986; amended at 11 Ill. Reg. 9549, effective May 5, 1987; amended at 12 Ill. Reg. 12246, effective July 15, 1988; amended at 13 Ill. Reg. 10606, effective June 15, 1989; amended at 14 Ill. Reg. 10816, effective June 20, 1990; amended at 15 Ill. Reg. 10012, effective June 24, 1991; amended at 16 Ill. Reg. 11087, effective June 30, 1992; amended at 17 Ill. Reg. 10842, effective July 1, 1993; amended at 18 Ill. Reg. 8624, effective May 31, 1994; amended at 19 Ill. Reg. 10664, effective July 1, 1995; amended at 20 Ill. Reg. 10882, effective August 5, 1996; amended at 21 Ill. Reg. 9095, effective June 26, 1997; amended at 22 Ill. Reg. 14844, effective August 3, 1998; amended at 23 Ill. Reg. 9074, effective July 28, 1999; amended at 24 Ill. Reg. 8947, effective June 19, 2000; amended at 25 Ill. Reg. 9903, effective

Section 690.30 Regulations at Various Department-Owned or -Managed Sites

- All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive.
- Hunting with .22 caliber rimfire firearms or muzzleloading black powder rifles is allowed at those sites listed in the following subsections that are followed by a (1).
- Check-in, check-out and reporting of harvest is required at those sites listed in the following subsections that are followed by a (2).
- Statewide regulations apply at the following sites:

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Anderson Lake Conservation Area (2)
Apple River Canyon State Park - Salem and Thompson Units (2)

Argyle Lake State Park (2)

Big Bend State Fish and Wildlife Area (2)

Big River State Forest (2)

Cache River State Natural Area (1) (2)

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (1)

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) (1)

Chain O'Lakes State Park (opens Wednesday after permit pheasant season for 5 consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; daily quota filled on first come-first served basis; DNR issued back patch must be worn while hunting; only shot size of No. 5-head or No. 3 steel, No. 4 bismuth, No. 5 tungsten-iron, tungsten-matrix, tungsten-polymer or smaller may be used) (2)

Crawford County Conservation Area (1) (2)

Cypress Pond State Natural Area (1) (2)

Dog Island Wildlife Management Area (1) (2)

Eldon Hazlet State Park (north of Allen Branch (2); and west of Peppenhorst Branch only)

Ferne Clyffe State Park - Cedar Draper Bluffs Hunting Area (1) (2)

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only) (1) (2)

Fort Massac State Park (2)

I-24 Wildlife Management Area (2)

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Jim Edgar Panther Creek State Fish and Wildlife Area - West Open Unit (1) (2)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season) (1) (2)

Kinkaid Lake Fish and Wildlife Area (1)

Lowden-Miller State Forest (hunting allowed from September 1 through September 30 only; hunting allowed only on the southern one-half of the site) (1) (2)

Marseilles Fish and Wildlife Area (Monday through Thursday only through October 31; during August, hunting allowed west of E. 2450 Road only) (2)

Marshall State Fish and Wildlife Area (2)

Mermet Lake Conservation Area (non-toxic shot only in waterfowl areas) (1) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) (1)

Mississippi River Pools 16, 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Morrison Rockwood State Park (opens November 1 and closes the Thursday before the first statewide firearm deer season) (1) (2)

Oakford Conservation Area (1)

Panther-Creek-Conservation-Area-{1}-{2}

Peabody River King State Fish and Wildlife Area (east and north subunits close, November 1) (2)

Randolph County Conservation Area (2)

Ray Norbut State Fish and Wildlife Area (closes December 15 in Eagle Roost Area) (1) (2)

Red Hills State Park (2)

Rend Lake Project Lands and Waters (1)

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Sahara-Woods-{1}-{2}

Saline County Fish and Wildlife Area (1) (2)

Sam Dale Lake Conservation Area (2)

Sam Parr State Park (2)

Sangamon County Conservation Area (1)

Shawnee National Forest -7 Oakwood Bottoms (non-toxic shot only) (1)

Sielbeck Forest Natural Area (1) (2)

Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1) (2)

Walnut Point Fish and Wildlife Area (2)

Washington County Conservation Area (2)

Weinberg-King State Park (1) (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (opens after second firearm deer season) (2)

e) Season dates shall be the day following Labor Day through to the end of the statewide season at the following sites:

Ferne Clyffe State Park - Fern Clyffe Hunting Area (2)

Giant City State Park

Hamilton County Conservation Area (2)

Pere Marquette State Park (2)

Pyramid State Park (2)

Siloam Springs State Park (2)

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- f) Season dates shall be the day after Labor Day through to September 30 at the following sites:

Johnson-Sauk Trail State Park (2)

Jubilee College State Park (2)

Kankakee River State Park (2)

Sangchris Lake State Park (2)

Silver Springs State Park (2)

Spring Lake Fish and Wildlife Area (2)

- g) Statewide regulations apply at the following sites, except that hunters must obtain a free permit from the Department and variations in season dates are in parentheses. Permits must be in possession while hunting. The permit must be returned and harvest reported by February 15 or the hunter will forfeit privileges at that site for the following year:

Chauncey Marsh (permit may be obtained at Red Hills State Park Headquarters) (1)

Clinton Lake State Recreation Area - North Fork Mangement Area, North of the County Road at the North Fork Boat Ramp (1)

Coffeen Lake State Fish and Wildlife Area (area closed during firearm deer season; closes September 30)

East Conant Field (1)

Fox Ridge State Park (1)

Harry "Babe" Woodyard State Natural Area

Hidden Springs State Forest (.22 rimfire firearms and muzzleloading blackpowder rifles prohibited until October 1) (1)

Hurricane Creek Habitat Area (season closes October 31)

Jim Edgar Panther Creek State Fish and Wildlife Area (the Quality Unit and Controlled Unit close October 31) (1)

Kickapoo State Park (season opens day after Labor Day)

Lake Shelbyville - Eagle Creek State Park (closes opening day of

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site's pheasant season)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Areas (1)

Middle Fork Fish and Wildlife Area (season opens day after Labor Day)

Momence Wetlands (season opens day after Labor Day; closes September 30; shotgun only, non-toxic shot only)

Moraine View State Park

Newton Lake Fish and Wildlife Area (closes September 30)

Ramsey Lake State Park

Sanganois State Fish and Wildlife Area (1)

~~State-Pteid-(1)~~

Ten Mile Creek Fish and Wildlife Area (1)

- h) Season dates shall be statewide opening through September 30 at the following sites:

Beaver Dam State Park (2)

Castle Rock State Park (2)

Coffeen Lake State Fish and Wildlife Area

Iroquois County Wildlife Management Area (1) (2)

Mackinaw State Fish and Wildlife Area (2)

Mt. Vernon Game Propagation Center (2)

Siloam Springs State Park - Buckhorn Unit (1) (2)

Woodford County Fish and Wildlife Area (2)

- i) Season dates shall be statewide opening through October 31 at the following sites:

Green River State Wildlife Area (2)

Horseshoe Lake Conservation Area (season on the controlled goose

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hunting area shall close October 31, remainder of the public hunting area statewide season; non-toxic shot only) (1)

Sand Ridge State Forest (1) (2)

Union County Conservation Area (season on the controlled goose hunting area closes October 31; firing line unit - statewide closing; non-toxic shot only) (1)

(Source: Amended, at 25 Ill. Reg. 9903 - -, effective _____)

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1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

2) Code Citation: 17 Ill. Adm. Code 810

3) Section Numbers:
810.45
Emergency Action:
Amendment

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

5) Effective Date of Emergency Amendment: August 1, 2001

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency amendment will remain in effect for the 150-day period.

7) Date filed with the Index Department: August 1, 2001

8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) Reason for Emergency: To add fishing regulations for the newly acquired Buckhorn Unit at Siloam Springs State Park.

10) A Complete Description of the Subjects and Issues Involved: This amendment is needed to protect previously unexploited, low-standing stock fish populations in newly acquired property from over-exploitation that traditionally follows a "grand-opening" at a new body of water.

11) Are there any proposed amendments to this Part pending: Yes

| Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|----------------------------|
| 810.45 | Amendment | 25 Ill. Reg. 6041, 5/11/01 |
| 810.45 | Amendment | 25 Ill. Reg. 7057, 6/8/01 |

12) Statement of Statewide Policy Objectives: These rules do not create or expand a State mandate.

13) Information and questions regarding this amendment shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 485

DEPARTMENT OF NATURAL RESOURCES

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Springfield IL 62701-1787
217/782-1809

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 810

SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section

810.10 Sale of Fish and Fishing Seasons

810.20 Snagging

810.30 Pole and Line Fishing Only (Repealed)

810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits

810.37 Definitions for Site Specific Sportfishing Regulations

810.40 Daily Catch and Size Limits (Repealed)

810.45 Site Specific Water Area Regulations

EMERGENCY

810.50 Bait Fishing

810.60 Bullfrogs (Repealed)

810.70 Free Fishing Days

810.80 Emergency Protective Regulations

810.90 Fishing Tournament Permit

810.100 Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days;

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emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1991; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 21, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; emergency amendment at 25 Ill. Reg. 7947, effective June 16, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. ~~9912~~ effective August 1, 2001, for a maximum of 150 days.

Section 810.45 Site Specific Water Area Regulations**EMERGENCY**

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Anderson Lake Fish and Wildlife Area (33)
Fulton County

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Andover Lake, City of Andover
Henry County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Apple River
Jo Daviess County
Trout
- Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)
Jo Daviess County
All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Argyle Lake, Argyle Lake State Park
McDonough County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Hybrid Walleye
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit
- 1 Fish more than 15" and/or 5 less than 12" Daily (12)
- Fall Closed Season (10)
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

Arrowhead Heights Lake, Village of Camp Point
Adams County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Arrowhead Lake, City of Johnston City
Williamson County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Ashland City Reservoir, City of Ashland
Cass County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Ashley Reservoir, City of Ashley
Washington County
All Fish
- 2 Pole and Line Fishing Only (1)

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- Channel Catfish
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
 - 15" Minimum Length
- Auburn Park Lagoon, Chicago Park District
Cook County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- Axhead Lake, Cook County Forest Preserve
Cook County
- 2 Pole and Line Fishing Only (1)
 - 36)
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Large or Smallmouth Bass
- Trout
- Trout
- Baker Lake, City of Peru
LaSalle County
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Baldwin Lake, Baldwin Lake Conservation Area
Randolph County
- 2 Pole and Line Fishing Only
 - (1)(5)
 - 18" Minimum Length Limit
 - 17" Minimum Length Limit
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- Banana Lake, Lake County Forest Preserve District
Lake County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Trout
- Trout
- Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)

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- Peoria/Fulton Counties
- All Fish
- 2 Pole and Line Fishing Only (1)(34)
 - 6 Fish Daily Creel Limit
 - 3 Fish Daily Creel Limit
 - 12"-18" Protected Slot Length Limit (no possession)
 - 42" Minimum Length Limit
 - 25 Fish Daily Creel Limit
 - 9" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Pure Muskellunge
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- Batchtown Wildlife Management Area (33)
Calhoun County
- Baumann Park Lake, City of Cherry Valley
Winnebago County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Beall Woods Lake, Beall Woods Conservation Area
Wabash County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Spring Closed Season (11)
 - Fall Closed Season (10)
- Channel Catfish
- Large or Smallmouth Bass
- Trout
- Trout
- Beaver Dam Lake, Beaver Dam State Park
Macoupin County
- 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - 10 Fish Daily Creel Limit
- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Trout
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- Beck Lake, Cook County Forest Preserve District
Cook County
- 2 Pole and Line Fishing Only (1)(36)
- All Fish

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- Channel Catfish
 Large or Smallmouth Bass
 Walleye, Sauger, or Hybrid
 Walleye
- Belk Park Pond, City of Wood River
 Madison County
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- Belleau Lake, Cook County Forest Preserve District
 Cook County
 All Fish
 Large or Smallmouth Bass
 Trout
 Trout
- Bevier Lagoon, Waukegan Park District
 Lake County
 All Fish
 Channel Catfish
- Bird Park Quarry, City of Kankakee
 Kankakee County
 Trout
 Trout
- Bowen Lake, City of Washington
 Tazewell County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- Borah Lake, City of Olney
 Richland County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
- Boston Pond, Stephen A. Forbes State Park
 Marion County
 Trout
 Trout
- Braidwood Lake State Fish and Wildlife Area (41)
- 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 18" Minimum Length Limit
- 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (36)
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Fall Closed Season (10)
 - Spring Closed Season (11)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12"-15" Protected Slot Length Limit (no possession)
 - 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

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- Will County
 (Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
- All Fish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 White, Black, or Hybrid
 Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 10 Fish Daily Creel Limit
- Breeze JC's Park Pond, City of Breeze
 Clinton County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Buckner City Reservoir, City of Buckner
 Franklin County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Bullfrog Lake, Cook County Forest Preserve District
 Cook County
 All Fish
 Large or Smallmouth Bass
 Bluegill or Redear Sunfish
 Bluegill or Redear Sunfish (14)
- 2 Pole and Line Fishing Only (1)(36)
 - 14" Minimum Length Limit
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
- Bunker Hill Lake, City of Bunker Hill
 Macoupin County
 All Fish
 Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Burrells Wood Park Pond
 White County
 Channel Catfish
- 6 Fish Daily Creel Limit
- Busse Lake, Cook County Forest Preserve
 Cook County

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- All Fish
 Bluegill or Redear Sunfish
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 Channel Catfish
 - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - 18" Minimum Length Limit
 Walleye, Sauger, or Hybrid
 Walleye

Cache River State Natural Area (19)

Pulaski/Johnson Counties

Calhoun Point Wildlife Management Area (33)

Calhoun County

Calumet River

Cook County

Yellow Perch

Yellow Perch

- 15 Fish Daily Creel Limit
 - Closed During July

Campbell Pond Wildlife Management Area (19)

Jackson County

Campus Lake - Southern Illinois University, State of Illinois

Jackson County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Campus Pond - Eastern Illinois University, State of Illinois

Coles County

All Fish

Channel Catfish

Trout

Trout

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Canton Lake, City of Canton

Fulton County

All Fish

Channel or Blue Catfish (14)

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Carbondale City Reservoir, City of Carbondale

Jackson County

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Carlinville Lake #2, City of Carlinville

Macoupin County

- 2 Pole and Line

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- All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Carlton Silt Basin, State of Illinois

Whiteside County

- All Fish
 Bluegill or Redear Sunfish
 Bluegill or Redear Sunfish (14)
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - Catch and Release Fishing Only (9)

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)

Clinton/Bond/Fayette Counties

Large or Smallmouth Bass

White, Black, or Hybrid

Crappie (15)

White, Black, or Hybrid

Crappie

- 10" Minimum Length Limit
 - 14" Minimum Length Limit
 - 10 Fish Daily Creel Limit

Carthage Lake, City of Carthage

Hancock County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Cedar Lake, U.S. Forest Service and City of Carbondale

Jackson County (19)

All Fish

- 2 Pole and Line Fishing Only (1)
 (5)

Large or Smallmouth Bass

Limit (no possession)

Large or Smallmouth Bass

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

- 3 Fish Daily Creel Limit
 - 14"-18" Protected Slot Length
 - 2 Fish Under 14" and 2 Fish
 Over 18" Daily Creel Limit
 - 17" Minimum Length Limit

Centralia Foundation Park Catfish Pond, Centralia Park Foundation

Marion County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Centralia Lake, City of Centralia

Marion County

Large or Smallmouth Bass

- 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District

Cook County

All Fish

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Channel Catfish
Large or Smallmouth Bass

Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District
Champaign County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston
Coles County

All Fish
- 2 Pole and Line Fishing Only (1)

Charleston Side Channel Lake, City of Charleston
Coles County

All Fish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Charlie Brown Lake & Pond, City of Flora
Clay County

All Fish
Channel Catfish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Charter Oak North - Peoria Park District Lake, Peoria Park District
Peoria County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Charter Oak South - Peoria Park District Pond, Peoria Park District
Peoria County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

2 Pole and Line Fishing Only (1)
6 Fish Daily Creel Limit
15" Minimum Length Limit
1 Fish Daily Creel Limit

Chauncey Marsh (19)
Lawrence County

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Chenoa City Lake, City of Chenoa
McLean County

All Fish
- 2 Pole and Line Fishing Only (1)

Chicago River (including its North Branch, South Branch, and the North Shore Channel)
Cook County

Yellow Perch
Yellow Perch

- 15 Fish Daily Creel Limit
- Closed During July

Citizen's Lake, City of Monmouth
Warren County

All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Trout

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Clear Lake, Kickapoo State Park
Vermillion County

All Fish
Channel Catfish
Trout
Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Clinton Lake, Clinton Lake State Recreation Area (19)
DeWitt County

All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie

- 2 Pole and Line Fishing Only (1)(18)
- 16" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 15 Fish Daily Creel Limit
- 9" Minimum Length Limit

Coffeen Lake, Coffeen Lake State Fish and Wildlife Area
Montgomery County

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid

- All jugs must be attended at all times while fishing (2)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

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Crappie
 Striped, White, or Hybrid - 17" Minimum Length Limit
 Striped Bass
 Striped, White, or Hybrid - 3 Fish Daily Creel Limit
 Striped Bass (16)

Coles County Airport Lake, Coles County Airport
 Coles County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Coleta Trout Pond, State of Illinois
 Whiteside County
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)

Columbus Park Lagoon, Chicago Park District
 Cook County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
 Cook County
 All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 14" Minimum Length Limit

Coulterville City Lake, City of Coulterville
 Randolph County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)
 Williamson County
 All Fish - 2 Pole and Line Fishing Only (1)(4)
 Striped, White, or Hybrid - 10 Creel/3 Fish 17" or Longer Daily (17)
 Striped Bass (16)
 Large or Smallmouth Bass - 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
 Williamson County
 All Fish - 2 Pole and Line Fishing Only (1)

Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)
 Williamson County

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All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service
 Williamson County
 All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service
 Williamson County
 All Fish (30) - 2 Pole and Line Fishing Only (1)
 (5)
 Large or Smallmouth Bass - 21" Minimum Length Limit

Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area
 Crawford County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Trout - Fall Closed Season (10)

Crawford Co. Cons. Area Ponds, Crawford County Conservation Area
 Crawford County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit

Crull Impoundment Wildlife Management Area (33)
 Jersey County

Crystal Lake, Urbana Park District
 Champaign County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Dawson Lake & Park Ponds, Moraine View State Park
 McLean County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit
 Walleye (14)
 White, Black or Hybrid Crappie - 9" Minimum Length Limit
 White, Black or Hybrid - 15 Fish Daily Creel Limit

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NOTICE OF EMERGENCY AMENDMENT

Crappie (15)

Decatur Park Dist. Ponds, City of Decatur

Macon County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Deep Pit Lake, Boone County Conservation District

Boone County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Defiance Lake, Moraine Hills State Park

McHenry County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)

Cook County

- Channel Catfish
- Channel Catfish
- Large or Smallmouth Bass
- Northern Pike
- Northern Pike
- White, Black or Hybrid
- Crappie (15)
- Walleye, Sauger, or Hybrid Walleye
- Walleye, Sauger, or Hybrid Walleye (14)
- 15" Minimum Length Limit
- 6 Fish Daily Creel Limit
- Catch and Release Only - No Harvest Permitted (9)
- 30" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit

Des Plaines River Conservation Area (19)

Will County

Diamond Lake, City of Mundelein

Lake County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Dog Island Wildlife Management Area (19)

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Pope County

Dolan Lake, Hamilton County

Conservation Area

Hamilton County

- All Fish
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Donnelley State Wildlife Area (33)

Bureau County

Douglas Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District

DuPage County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

DuPage County

Large or Smallmouth Bass

- Catch and Release Fishing Only (9)

East Fork Lake, City of Olney

Richland County

All Fish

Channel Catfish

Large or Smallmouth Bass

White, Black, or Hybrid

Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 25 Fish Daily Creel Limit

Eldon Hazlet State Park (19) (See Also Carlyle Lake)

Clinton County

Elkville City Reservoir, City of Elkville

Jackson County

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

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NOTICE OF EMERGENCY AMENDMENT

- Elliott Lake, Wheaton Park District
DuPage County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Evergreen Lake, City of Bloomington
McLean County
All Fish
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit
- Faries Park Pond, City of Decatur
Macon County
Trout
- Fall Closed Season (10)
- Ferne Clyffe Lake, Ferne Clyffe State Park
Johnson County
All Fish
Channel Catfish
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- Flatfoot Lake, Cook County Forest Preserve District
Cook County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Foli Park Pond, Village of Plano
Kendall County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Forbes State Lake, Stephen A. Forbes State Park
Marion County
All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 2 Pole and Line Fishing Only (1)(5)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

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- Forbes State Park Ponds, Stephen A. Forbes State Park
Marion County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Forest Park Lagoon, City of Shelbyville
Shelby County
All Fish
Channel Catfish
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- Fort de Chartres Historic Site (19)
Randolph County
- Four Lakes, Winnebago County Forest Preserve
Winnebago County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois
Lake and McHenry Counties
Large or Smallmouth Bass
Pure Muskellunge
Walleye, Sauger, or Hybrid
Walleye
Walleye, Sauger, or Hybrid
Walleye (14)
- 14" Minimum Length Limit (6)
- 48" Minimum Length Limit (40)
- 14" Minimum Length Limit with an 18-24" Protected Slot Length Limit (no possession) (6)
- 2 Fish >or=14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)
- Fox Ridge State Park (see also Wilderness Pond and Ridge Lake) (19)
Coles County
- Fox River Basin - Special Management
Zone (North Aurora Dam to Montgomery Dam, including tributaries)
Kane County
Large or Smallmouth Bass
- 14" Minimum Length Limit
- Fox River Basin - Special Management
Dam, including tributaries)
Kane County
Large or Smallmouth Bass
- Catch and Release Only -

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No Harvest Permitted (9)

Frank Holten Lakes, Frank Holten State Park

- St. Clair County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)

- Lee County
 All Fish
- 2 Pole and Line Fishing Only (1)(9)

Fuller Lake (19)

Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board

- Fulton County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Blue gill or Redear Sunfish (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12"-15" Protected Slot Length Limit (no possession)
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit

Gages Lake, Wildwood Park District

Lake County

- All Fish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Walleye, Sauger, or Hybrid
 Walleye
 Walleye, Sauger, or Hybrid
 Walleye (14)
- 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 16" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District

Cook County

- All Fish
 Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Gebhard Woods Ponds, Gebhard Woods State Park

Grundy County

- All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Spring Closed Season (11)

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Giant City Park Ponds, Giant City State Park

- Jackson and Union Counties
 Largemouth and Spotted Bass
- 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie

Macoupin County

- Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie

Macoupin County

- All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Glades - 12 Mile Island Wildlife Management Area (33)

Jersey County

Gladstone Lake, Henderson County Conservation Area

Henderson County

- All Fish
 Bluegill or Redear Sunfish (14)
 Channel or Blue Catfish (14)
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - 3 Fish Daily Creel Limit

Glen Oak Park Lagoon, Peoria Park District

Peoria County

- All Fish
 Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro

Montgomery County

- Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
- 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Godar-Diamond/Hurricane Island Wildlife Management Area (33)

Calhoun County

Gompers Park Lagoon, Chicago Park District

Cook County

- All Fish
- 2 Pole and Line Fishing Only (1)

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- Channel Catfish - 6 Fish Daily Creel Limit
- Gordon F. More Park Lake, City of Alton
Madison County
- 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Limit
- Governor Bond Lake, City of Greenville
Bond County
- All jugs must be attended at all times while fishing (2)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
- Grayslake Park District (Grayslake and Park Ponds)
Lake County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Greenfield City Lake, City of Greenfield
Greene County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12"-15" Protected Slot Length Limit (no possession)
 - 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit
- Greenville Old City Lake, City of Greenville
Bond County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Harrisburg New City Reservoir, City of Harrisburg

DEPARTMENT OF NATURAL RESOURCES

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- Saline County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Harrisburg Holding Pits North and South, City of Harrisburg
Saline County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Heidecke Lake, Heidecke Lake State Fish and Wildlife Area
Grundy County (41)
- (Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 22" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Helmbold Slough (19)
Calhoun County
- Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park
Multiple Counties
- 2 Pole and Line Fishing Only (1)(13)
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Herrin Lake #1, City of Herrin
Williamson County
- 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Herrin Lake #2, City of Herrin

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NOTICE OF EMERGENCY AMENDMENT

Williamson County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Hidden Springs State Forest Ponds, Hidden Springs State Forest
 Shelby County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Highland Old City Lake, City of Highland
 Madison County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)

Hillsboro Old City Lake, City of Hillsboro
 Montgomery County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Homer Guthrie Pond - Eldon Hazlet State Park, State of Illinois
 Clinton County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Homer Lake, Champaign County Forest Preserve District
 Champaign County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish - 8" Minimum Length Limit
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Hornel Pond, Donnelly State Fish and Wildlife Area
 Bureau County
 All Fish - 2 Pole and Line Fishing Only (1)
 Only (1)(5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area
 Alexander County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

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(Only trolling motors in refuge from October 5-March 1)
 All Fish - 2 Pole and Line Fishing Only (1)
 (5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)
 Madison County
 All Fish - 2 Pole and Line Fishing Only
 (1)(28)(34)
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 White, Black or Hybrid - 25 Fish Daily Creel Limit
 Crappie (15)

Horton Lake, Nauvoo State Park
 Hancock County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Hulit Park Big Lake, Canton Park District
 Fulton County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Humbolt Park Lagoon, Chicago Park District
 Cook County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Illinois & Michigan Canal, State of Illinois
 Grundy/LaSalle/Will Counties
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Trout - Spring Closed Season (11)

Illinois Beach State Park Ponds, Illinois Beach State Park
 Lake County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Illinois Department of Transportation Lake, State of Illinois
 Sangamon County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

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- Large or Smallmouth Bass - 15" Minimum Length Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)
- Illinois River - Pool 26 (19)
 Calhoun County
- Illinois River, State of Illinois
 Multiple Counties
 Large or Smallmouth Bass - 12" Minimum Length Limit
- Independence Grove Lake, Lake County Forest Preserve District
 Lake County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Pure Muskellunge - 48" Minimum Length Limit
- Indian Boundary South Pond, Frankfort Square Park District
 Will County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Jackson Park (Columbia Basin) Lagoon, Chicago Park District
 Cook County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and Ponds, Jim Edgar/Panther Creek Fish and Wildlife Area
 Cass County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish - 8" Minimum Length Limit
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond,
 Jim Edgar/Panther Creek Fish and Wildlife Area
 Cass County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish - 8" Minimum Length Limit
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

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NOTICE OF EMERGENCY AMENDMENT

- Trout - Spring Closed Season (11)
- Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
 Henry County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Jones Park Lake, City of East St. Louis
 St. Clair County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)
- Jones State Lake, Saline County Conservation Area
 Saline County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession) (38)
 Large or Smallmouth Bass - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit
- Jones Lake Trout Pond, Saline County Conservation Area
 Saline County
 Trout - Fall Closed Season (10)
- Jubilee College State Park Ponds,
 Jubilee College State Park
 Peoria County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of the Kankakee River, including tributaries)
 Will/Grundy Counties
 Large or Smallmouth Bass - 12" - 16" Protected Slot Length Limit (no possession) (37)
 Large or Smallmouth Bass (14) - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit
- Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)
 Kankakee/Will Counties
 Large or Smallmouth Bass - 14" Minimum Length Limit

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- Large or Smallmouth Bass - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)
- Kankakee River State Park (19)
Kankakee/Will Counties
- Kaskaskia River Fish and Wildlife Area (19)
St. Clair/Randolph/Monroe Counties
- Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)
St. Clair County
- Kendall Co. Lake #1, Kendall County Forest Preserve District
Kendall County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Kent Creek
Winnebago County
- Trout
- Spring Closed Season (11)
- Kickapoo State Park Lakes & Ponds, Kickapoo State Park
Vermilion County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Kincaid City Reservoir, City of Kincaid
Christian County
- All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)
Jackson County
- Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Pure Muskellunge
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 16" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 48" Minimum Length Limit
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Kinmundy Reservoir, City of Kinmundy
Marion County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lake Atwood, McHenry County Conservation District
McHenry County
- All Fish
Channel Catfish
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season (11)
- Lake Bloomington, City of Bloomington
McLean County
- All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- Lake Carlton, Morrison-Rockwood State Park
Whiteside County
- All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit
- 25 Fish Daily Creel Limit
- Lake Chautaugua North Pool, U.S. Fish and Wildlife Service
Mason County
- Largemouth Bass
- 15" Minimum Length Limit (12"
Minimum Length Limit when
the Illinois River overflows the
levee system of the North Pool)
- Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District
Lake County
- All Fish
Channel Catfish
Large Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Large or Smallmouth Bass
Walleye, Sauger, or Hybrid Walleye
- 15" Minimum Length Limit
 - 16" Minimum Length Limit
- Lake Decatur, City of Decatur
Macon County
- All Fish
 - White, Black, or Hybrid Crappie
 - White, Black, or Hybrid Crappie (15)
- Lake Depue Fish and Wildlife Area (33)
Bureau County
- Lake Eureka, City of Eureka
Woodford County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
- Lake George, Loud Thunder Forest Preserve
Rock Island County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Pure Muskellunge
 - Striped, White, or Hybrid Striped Bass
 - Striped, White, or Hybrid Striped Bass (16)
 - White, Black, or Hybrid Crappie (15)
- Lake Jacksonville, City of Jacksonville
Morgan County
- All Fish
 - Bluegill or Redear Sunfish
 - Bluegill or Redear Sunfish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Striped, White, or Hybrid Striped Bass
 - Striped, White, or Hybrid Striped Bass (16)
 - White, Black, or Hybrid Crappie
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- White, Black, or Hybrid Crappie
- 9" Minimum Length Limit
- Lake Kakusha, City of Mendota
LaSalle County
- All Fish
 - Bluegill or Redear Sunfish
 - Bluegill or Redear Sunfish (14)
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - White, Black, or Hybrid Crappie (15)
- Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
 - Large or Smallmouth Bass
 - White, Black, or Hybrid Crappie (15)
- Lake Mendota, City of Mendota
LaSalle County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
 - Large or Smallmouth Bass
 - White, Black, or Hybrid Crappie (15)
- Lake Michigan (Illinois Portion), State of Illinois
Lake/Cook Counties
- Trout and Salmon
 - Trout and Salmon
 - Lake Trout
 - Yellow Perch
 - Yellow Perch
 - Yellow Perch
 - Large or Smallmouth Bass (14)
- Lake Milliken, Des Plaines Conservation Area
Will County
- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Large or Smallmouth Bass
Trout
- 15" Minimum Length Limit
- Spring Closed Season (11)
- Lake Mingo & Kennekuk Cove Park Ponds, Vermillion County Conservation Area
Vermillion County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Lake Murphysboro, Lake Murphysboro State Park
Jackson County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit
- Lake Nellie, City of St. Elmo
Fayette County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District
Champaign County
All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)
- Lake Owen, Hazel Crest Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Lake Paradise, City of Mattoon
Coles County
All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- Lake Paradise Shadow Ponds, City of Mattoon
Coles County
All Fish
Large or Smallmouth Bass
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Lake Sara, City of Effingham
Effingham County
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit
- Lake Shelbyville (21), U.S. Army Corps of Engineers
Moultrie/Shelby Counties
(During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- 14" Minimum Length Limit
- 48" Minimum Length Limit (40)
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit
- Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)
Moultrie/Shelby Counties
All Fish
Channel Catfish
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Lake Sinissippi (19)
Whiteside County
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- Lake Springfield, City of Springfield
Sangamon County
All Fish
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Lake Storey, City of Galesburg
Knox County
All Fish
Bluegill or Redear Sunfish (14)
Channel or Blue Catfish (14)
Large or Smallmouth Bass
Pure Muskellunge
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 42" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Walleye, Sauger, or Hybrid
Walleye (14)
- Lake Strini, Village of Romeoville
Will County
All Fish
Channel Catfish
- Lake Sule, Flagg-Rochelle Park District
Ogle County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Pure Muskellunge
White, Black or Hybrid
Crappie (15)
- Lake Taylorville, City of Taylorville
Christian County
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- Lake Vandalia, City of Vandalia
Fayette County
All Fish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- Lake Vermilion, Vermilion County Conservation District
Vermilion County
All Fish
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- Lake Victoria, City of South Beloit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 36" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 36" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (26)
- 15" Minimum Length Limit (23)
- 48" Minimum Length Limit (40)
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Winnebago County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Lake Williamsville, City of Williamsville
Sangamon County
All Fish
Channel Catfish
- LaSalle Lake, LaSalle Power Station
LaSalle County
All Fish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass (16)
- Levings Lake, Rockford Park District
Winnebago County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site
Coles County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Lincoln Park North Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- Lincoln Park South Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- Lincoln Trail Lake, Lincoln Trail State Park
Clark County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Little Black Slough, Little Black Slough State Natural Area

Johnson County
All Fish
All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines

Little Sister Lake, County of Fulton

Fulton County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

Little Vermilion River Basin - Special Management Zone (river mainstem and tributaries)

LaSalle County
Large or Smallmouth Bass
- Catch and Release Only Season
No Harvest May 1 through
June 15 (9)

Lou Yeager Lake, City of Litchfield

Montgomery County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" minimum Length Limit
- 3 Fish Daily Creel Limit

Loami Reservoir, City of Loami

Sangamon County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Lower Cache River, Lower Cache River State Natural Area

Pulaski/Johnson Counties
All Fish
All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines

Lyerla Lake, Union County Conservation Area

Union County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area

Tazewell County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Macon County Conservation District
Ponds, Macon County Conservation District

Macon County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Maple Lake, Cook County Forest Preserve District

Cook County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Marissa City Lake, City of Marissa

St. Clair County
Channel Catfish
- 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District

Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area (33)

Marshall County
All Fish
- 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)

Marshall County
- 2 Pole and Line Fishing Only (1)

Mascoutah Reservoir, City of Mascoutah

St. Clair County
All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois

Massac County
Trout
Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

Matthiessen Lake, Matthiessen State Park

LaSalle County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Mattoon Lake, City of Mattoon

Coles County
All Fish
Large or Smallmouth Bass

Matino Fish and Wildlife Area, Mautino Fish

and Wildlife Area
Bureau County
All Fish
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville

Morgan County
Large or Smallmouth Bass
- 15" Minimum Length Limit

Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)

Grundy/Kankakee Counties
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry

McHenry County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District

Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro

Hamilton County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

McMaster Lake and Small Ponds, Snakeden Hollow State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Knox County

(All use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)

All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Pure Muskellunge
Walleye, Sauger, or Hybrid
Walleye (14)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 42" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 5 Fish Daily Creel Limit

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)

Cass County

Meredosia Lake - Cass County Portion

Cass County

(Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mermet State Lake, Mermet Lake Conservation Area (33)

Massac County

All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
(5)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit

Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve

Champaign County

All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Middle Fork of the Vermillion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area
Vermillion County
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Middle Fork of the Vermillion River Basin - Special Management Zone (river mainstem and tributaries)
 Vermillion/Champaign/Ford Counties
 Large or Smallmouth Bass
 Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Mill Creek Lake, Clark County Park District
 Clark County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Pure Muskellunge
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 42" Minimum Length Limit

Mill Pond, Pearl City Park District
 Stephenson County

- All Fish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Mill Race Ponds, Belvidere Park District
 Boone County

- Trout
- Spring Closed Season (11)

Miller Park Lake, City of Bloomington

- McLean County
- All Fish
- Channel Catfish
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season(11)

Mineral Springs Park Lagoon, City of Pekin
 Tazewell County

- All Fish
- Channel Catfish
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)
 Multiple Counties

Mississippi River (between IL & IA), State of Illinois
 Multiple Counties

- Large or Smallmouth Bass
- Northern Pike
- Walleye and Sauger (14)
- Walleye
- 14" Minimum Length Limit
- 5 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit (24)
- 15" Minimum Length Limit

Mississippi River (between IL & MO), State of Illinois

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Multiple Counties

(Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)
 (Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed)
 All Nongame Species Combined
 (Excludes endangered and threatened species and the following game species: Crappie, Channel/Blue/Flathead Catfish, Rock Bass, Warmouth, White/Yellow/Striped/Hybrid Striped Bass, Trout, Large-mouth/Smallmouth/Spotted Bass, Muskellunge, Northern Pike, Chain/Grass Pickerel, Walleye, Sauger, Paddlefish)

Channel or Blue Catfish (14)
 Flathead Catfish
 Largemouth, Smallmouth, or Spotted Bass
 Northern Pike
 Striped, White, or Hybrid Striped Bass (16)
 Walleye and Sauger (14)
 White, Black, or Hybrid Crappie (15)

- 100 Total Fish Daily Creel Limit
- 20 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 12" Minimum Length Limit

Northern Pike
 Striped, White, or Hybrid Striped Bass (16)

- 1 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit - statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Missouri
- 8 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit

Monroe Reservoir, Will County Forest Preserve District
 Will County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit

Montrose Lake, City of Montrose
 Cumberland County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Mt. Olive City Lakes, City of Mt. Olive
Macoupin County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Mt. Olive (Old) Lake, City of Mt. Olive
Macoupin County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Mt. Pulaski Park District Lake, Mt. Pulaski Park District
Logan County
All Fish
- 2 Pole and Line Fishing Only (1)
- Mt. Sterling Lake, City of Mt. Sterling
Brown County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Mt. Vernon City Park Lake, City of Mt. Vernon
Jefferson County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm
Jefferson County
All Fish
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- Fall Closed Season (10)
- Spring Closed Season (11)
- Mundelein Park District Ponds, City of Mundelein
Lake County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Nashville City Lake, City of Nashville
Washington County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- Newton Lake, Newton Lake State Fish and Wildlife Area (41)
Jasper County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- (The cold water arm of Newton Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
- All Fish
- 2 Pole and Line Fishing Only (1)
(5)
- 18" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 10" Minimum Length Limit
- Norris City Reservoir, City of Norris City
White County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin County
Recreational Use Restrictions
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Fishing permitted only by persons under 16 years of age
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Oakford Conservation Area (Menard County) (19)
Menard County
Oakland City Lake, City Lake, City of Oakland
Coles County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Oblong Lake, City of Oblong
Crawford County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Ohio River (between Illinois & Kentucky), State of Illinois
Multiple Counties (19)
Large or Smallmouth Bass
Northern Pike
- 12" Minimum Length Limit
- No Length or Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Muskie or Tiger Muskie
Muskie or Tiger Muskie
Walleye, Sauger, or Hybrid
Walleye (14)
White, Black, or Hybrid
Crappie (15)
Striped, White, or Hybrid
Striped Bass
- 2 Fish Daily Creel Limit
- 30" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit
- 30 Creel/4 Fish 15" or Longer Daily (32)
- Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)
Multiple Counties
Large and Smallmouth Bass
- 12" Minimum Length Limit
- Olson Lake, Rock Cut State Park
Winnebago County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Omaha City Reservoir, City of Omaha
Gallatin County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Otter Lake, Otter Lake Water Commission
Macoupin County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass (16)
Pure Muskellunge
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 48" Minimum Length Limit (40)
- Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission
Macoupin County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Pana Lake, City of Pana
Shelby and Christian Counties
All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- Channel Catfish
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Paris East & West Lakes, City of Paris
Edgar County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area
St. Clair County
All Fish
- 2 Pole and Line Fishing Only (1)
(34)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid Crappie
- 9" Minimum Length Limit
- Pekin Lake (19)
Tazewell County
- Perry Farm Pond, Bourbonnais Park District
Kankakee County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Piasa (19)
Madison/Jersey Counties
- Pierce Lake, Rock Cut State Park
Winnebago County
All Fish
- 2 Pole and Line Fishing Only (1)(7)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit
- Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- Pike County Conservation Area (19)
Pike County
Pickneyville Lake, City of Pickneyville

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Perry County
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Pine Creek
 Ogle County
 Trout - Spring Closed Season (11)

Pine Creek (within the boundaries of White Pines Forest State Park)
 Ogle County
 All Fish - 2 Pole and Line Fishing Only (1)
 Trout - Spring Closed Season (11)

Pine Lake, Village of University Park
 Will County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Piscasaw Creek
 McHenry County
 Trout - 9" Minimum Length Limit
 Trout - Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield
 Pike County
 All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Striped, White, or Hybrid - 17" Minimum Length Limit
 Striped Bass - 3 Fish Daily Creel Limit
 Striped, White, or Hybrid - 9" Minimum Length Limit
 Striped Bass (16)
 White, Black, or Hybrid
 Crappie

Pocahontas Park Pond, City of Pocahontas
 Bond County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)
 Tazewell County
 (Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season)
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Striped, White, or Hybrid - 10 Creel/3 Fish 17" or Longer Daily (17)
 Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit
 Walleye (14)
 Walleye, Sauger, or Hybrid - 18" Minimum Length Limit

Prospect Pond, City of Moline
 Rock Island County
 Trout - Fall Closed Season (10)

Pyramid State Park Lakes & Ponds, Pyramid State Park
 Perry County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Ramsey Lake, Ramsey Lake State Park
 Fayette County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 White, Black, or Hybrid - 10 Fish Daily Creel Limit
 Crappie (15)
 White, Black, or Hybrid - 9" Minimum Length Limit
 Crappie

Ramsey Lake State Park Ponds, Ramsey Lake State Park
 Fayette County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area
 Randolph County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)

Red Hills Lake, Red Hills State Park
 Lawrence County
 All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish - 8" Minimum Length Limit
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Channel Catfish
Large or Smallmouth Bass

Red's Landing Wildlife Management Area (19)

Calhoun County
(Walk-in area closed to trespassing 7 days prior to duck season)

Redwing Slough/Deer Lake (33)
Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)

Franklin and Jefferson Counties

Channel Catfish

Large or Smallmouth Bass

Striped, White, Yellow, or Hybrid

Striped Bass (8)

Rend Lake Project Ponds - Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers

Franklin and Jefferson Counties

(See kids only fishing regulations for North Marcum Campground Pond)

All Fish

- 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Rice Lake Fish and Wildlife Area (33)

Fulton County

Ridge Lake, Fox Ridge State Park

Coles County

(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

Large or Smallmouth Bass

Riis Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

Riprap Landing (19)

Calhoun County

Riverside Park Lagoon, Moline Park District

Rock Island County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

All Fish
Channel Catfish

Rock Creek, State of Illinois

Kankakee County

Trout

- Spring Closed Season (11)

Rock River Basin - Special Management Zone (Fordam Dam to Oregon Dam, including tributaries)

Ogle/Winnebago Counties

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

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Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

Large or Smallmouth Bass (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Saline County

- 2 Pole and Line Fishing Only (1)
- 15 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 15 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo
Fayette County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Salem Reservoir, City of Salem
Marion County

- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area
Wayne County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area
Wayne County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park
Jasper County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Sand Lake, Illinois Beach State Park
Lake County

- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)
Marshall County

- Catch and Release Only Season - No Harvest May 1 through June 15 (9)

Sanganois Conservation Area (33)(42)
Mason/Cass/Schuyler/Menard Counties

Sangchris Lake, Sangchris Lake State Park
Christian/Sangamon Counties

(Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season)

- All Fish - 2 Pole and Line Fishing Only (1) (34)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- White, Black, or Hybrid - 3 Fish Daily Creel Limit
- Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid - 9" Minimum Length Limit
- Crappie

Sangchris Lake Park Ponds, Sangchris Lake State Park
Sangamon County

- All Fish - 2 Pole and Line Fishing Only (1)

Schiller Pond, Cook County Forest Preserve District
Cook County

- All Fish - 2 Pole and Line Fishing Only (1) (36)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Schuy-Rush Lake, City of Rushville
Schuyler County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- White, Black, or Hybrid - 9" Minimum Length Limit
- Crappie

Senior Citizen's Pond, Kankakee River State Park
Kankakee County

- All Fish - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Channel Catfish - 6 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park
DeKalb County

All Fish - 2 Pole and Line Fishing Only (1)(7)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Pure Muskellunge - 48" Minimum Length Limit (40)
Striped, White, or Hybrid - 17" Minimum Length Limit
Striped Bass - 3 Fish Daily Creel Limit
Striped, White, or Hybrid
Striped Bass (16)
Walleye, Sauger, or Hybrid - 18" Minimum Length Limit
Walleye
White, Black, or Hybrid - 10 Fish Daily Creel Limit
Crappie (15)

Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service
Multiple Counties
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service
Forest Service
Pope County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth and Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Dutchman Lake, U.S. Forest Service
Johnson County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Lake Glendale, U.S. Forest Service
Pope County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Shawnee National Forest - Little Cache #1, U.S. Forest Service
Johnson County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Little Cedar Lake, U.S. Forest Service
Jackson County

All Fish - 2 Pole and Line Fishing Only (1)
Largemouth, Smallmouth or Channel Catfish - 15" Minimum Length Limit
Spotted Bass - 6 Fish Daily Creel Limit

Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service
Pope County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service
Gallatin County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Tecumseh Lake, U.S. Forest Service
Hardin County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Turkey Bayou, U.S. Forest Service
Jackson County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service
Hardin County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Sherman Park Lagoon, Chicago Park District

- Cook County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park

- Adams County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1)(7)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Siloam Springs State Park Buckhorn Unit Waters, Siloam Springs State Park

- Brown County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Silver Lake, DuPage County Forest Preserve District

- DuPage County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Spring Closed Season (11)

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area

- Kendall County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Skokie Lagoons, Cook County Forest Preserve District

- Cook County
- All Fish
 - 2 Pole and Line Fishing Only (1)
 - (36)
 - 14" Minimum Length Limit
 - 18" Minimum Length Limit

Small Pit Pond, Boone County Conservation District

Boone County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Large or Smallmouth Bass
- 1 Fish Daily Creel Limit

Shakeden Hollow State Fish and Wildlife Area - McMaster Lake and Small Ponds, State of Illinois

Knox County (see McMaster Lake and Small Ponds)

Sparta City Lakes, City of Sparta

- Randolph County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Large or Smallmouth Bass

Sparta "T" Lake, City of Sparta

- Randolph County
- All Fish
 - Bluegill or Redear Sunfish
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 15 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 9" Minimum Length Limit
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Large or Smallmouth Bass
- 10 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- 10 Fish Daily Creel Limit
- White, Black, or Hybrid
- 10 Fish Daily Creel Limit
- Crappie
- 10 Fish Daily Creel Limit

Spencer Lake, Boone County Conservation District

- Boone County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 1 Fish Daily Creel Limit

Spring Lake, City of Macomb

- McDonough County
- All Fish
 - Channel Catfish
 - 2 Pole and Line Fishing Only (1) (5)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 17" Minimum Length Limit
- Large or Smallmouth Bass
- 3 Fish Daily Creel Limit
- Striped, White, or Hybrid
- 3 Fish Daily Creel Limit
- Striped Bass
- 3 Fish Daily Creel Limit
- Striped, White, or Hybrid
- 3 Fish Daily Creel Limit
- Striped Bass (16)

Spring Lakes (North & South), Spring Lake Conservation Area (33)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Tazewell County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)(7)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- 9" Minimum Length Limit
- Crappie

Spring Pond, Flagg-Rochelle Park District

Ogle County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Starved Rock State Park (19)

LaSalle County

Staunton City Lake, City of Staunton

Macoupin County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Stephen A. Forbes State Park (19)

Marion County

Sterling Lake, Lake County Forest Preserve District

Lake County

- All Fish
- 2 Pole & Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 48" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Pure Muskellunge

Storm Lake, DeKalb Park District

DeKalb County

- All Fish
- 2 Pole and Line Fishing (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Stump Lake Wildlife Management Area (33)

Jersey County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Tampier Lake, Cook County Forest Preserve District

Cook County

- All Fish
- 2 Pole and Line Fishing Only (36)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 18" Minimum Length Limit
- Large or Smallmouth Bass
- Walleye, Sauger, or Hybrid
- Walleye

Taylorville Park District Pond, Taylorville Park District

Christian County

- All Fish
- 2 Pole and Line Fishing Only (1)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties (19)

(Areas designated as refuge are closed to all access during the Canada goose season)

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass

Tilton City Lake, City of Tilton

Toledo Reservoir, City of Toledo

Cumberland County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Channel Catfish

Turkey Bluff Ponds, State of Illinois Randolph County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Turner Lake, Chain O'Lakes State Park

Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Tuscola City Lake, City of Tuscola

Douglas County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Union County Conservation Area

Union County
(All fishing and boat traffic prohibited October 15-March 1)

Valley Lake, Wildwood Park District

- Lake County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Valmeyer Lake, City of Valmeyer

- Monroe County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Vanhorn Woods Pond, Plainfield Park District

- Will County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Vermilion County

- Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Vernor Lake, City of Olney

- Richland County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Villa Grove East Lake, City of Villa Grove

- Douglas County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Villa Grove West Lake, City of Villa Grove

- Douglas County
All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Virginia City Reservoir, City of Virginia

- Cass County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Waddams Creek

Stephenson County

- Trout
- Spring Closed Season (11)

Walnut Point Lake, Walnut Point State Fish and Wildlife Area

- Douglas County
All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Walton Park Lake, City of Litchfield

- Montgomery County
All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Wampum Lake, Cook County Forest Preserve District

- Cook County
All Fish
Bluegill or Redear Sunfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(36)
- Catch and Release Only (9)
- 14" Minimum Length Limit

Washington County Lake, Washington County Conservation Area

- Washington County
All Fish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Washington Park Lagoon, Chicago Park District

- Cook County
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Channel Catfish - 6 Fish Daily Creel Limit

Washington Park Pond, Springfield Park District
Sangamon County
All Fish
Channel Catfish
Trout
Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Waverly Lake, City of Waverly
Morgan County
All Fish
Channel Catfish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Weinberg-King Pond, Weinberg-King State Park
Schuyler County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park
DeWitt County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

West Frankfort New City Lake, City of West Frankfort
Franklin County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort
Franklin County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

West Salem Reservoir, City of West Salem
Edwards County
All Fish
Channel Catfish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

White Hall City Lake, City of White Hall
Greene County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

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White Oaks Lake, City of Bloomington
McLean County
All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park
Coles County
(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit

William W. Powers Conservation Area (33)
Cook County
Willow Lake, Peabody River King State Conservation Area
St. Clair County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie
Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)
Cook County
All Fish
Channel Catfish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)
Conservation Area
Woodford County
All Fish

- 2 Pole and Line Fishing Only (1)
- 2 Pole and Line Fishing Only (1)

Woodlawn Pond, Frankfort Square Park District
Will County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Wyman Lake, City of Sullivan
Moultrie County

- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)

Yellow Creek
Stephenson County
Trout

- Spring Closed Season (11)

(Source: Amended by emergency rulemaking at 25 Ill. Reg. **9912-3**,
effective August 1, 2001, for a maximum of 150 days)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers: Emergency Action:
148.285 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Excellence in Academic Medicine Act [30 ILCS 775/15] and Public Act 92-0010
- 5) Effective Date: July 23, 2001
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable
- 7) Date Filed with the Index Department: July 23, 2001
- 8) A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: These emergency amendments are being filed pursuant to the Governor's fiscal year 2002 budget plan and the enactment of the State's budget by the Legislature. The amendments add payment provisions for the Independent Academic Medical Center Hospital which provides graduate medical education for inpatient admissions. Such payments are made under the Excellence in Academic Medicine Payment Program for certain hospitals that provide innovative medical research, technology and programmatic development standards. The purpose of this funding is to support continuing efforts to enhance access to medical services at high quality medical centers for Medicaid eligible individuals. Emergency rulemaking is specifically authorized for the implementation of these changes by Section 5-45 of Public Act 92-0010.
- 10) Complete Description of the Subjects and Issues Involved: These emergency amendments to the Department's rules concerning hospital services pertain to the Excellence in Academic Medicine Payment Program. The changes add payment provisions for the Independent Academic Medical Center Hospital which provides graduate medical education for inpatient admissions. The emergency rulemaking defines "Independent Academic Medical Center Hospital" as, specifically, the primary teaching hospital for the University of Illinois College of Medicine, located in Urbana, Illinois. This facility category is included with hospitals eligible for payments under the Excellence in Academic Medicine Act [30 ILCS 775]. These changes comply with Public Act 92-0010 and the intent of the 92nd General Assembly.

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Payments for excellence in academic medicine are made to certain hospitals that provide innovative medical research, technology and programmatic development standards. A wide range of areas of medical specialization applicable to such innovative work is identified in Section 148.285(1)(9). The purpose of this funding is to provide support for continuing efforts to enhance access to medical services at high quality medical centers for Medicaid eligible individuals.

The emergency changes also add payment limitations as described in statute, at new subsection (k), as well as several clarifications on payment rate periods, eligible hospitals and qualified program categories. This rulemaking is expected to result in an expenditure increase of approximately \$2 million during fiscal year 2002.

11) Are there any other amendments pending on this Part? Yes

| Sections | Proposed Action | Illinois Register Citation |
|----------|-----------------|----------------------------|
| 148.82 | Amendment | 25 Ill. Reg. 4124, 3/23/01 |
| 148.285 | Amendment | 25 Ill. Reg. 7536, 6/22/01 |
| 148.310 | Amendment | 25 Ill. Reg. 5254, 4/13/01 |

12) Statement of Statewide Policy Objectives: These emergency amendments neither create nor expand any State mandates affecting units of local government.

13) Information and questions regarding this amendment shall be directed to:

Joanne Jones
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217) 524-0081

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148
HOSPITAL SERVICES

| | | |
|---------|---|--|
| Section | Hospital Services | |
| 148.10 | Participation | |
| 148.20 | Definitions and Applicability | |
| 148.25 | General Requirements | |
| 148.30 | Special Requirements | |
| 148.40 | Covered Hospital Services | |
| 148.50 | Services Not Covered as Hospital Services | |
| 148.60 | Limitation On Hospital Services | |
| 148.70 | Organ Transplant Services Covered Under Medicaid (Repealed) | |
| 148.80 | Organ Transplant Services | |
| 148.82 | Heart Transplants (Repealed) | |
| 148.90 | Liver Transplants (Repealed) | |
| 148.100 | Bone Marrow Transplants (Repealed) | |
| 148.110 | Disproportionate Share Hospital (DSH) Adjustments | |
| 148.120 | Outlier Adjustments for Exceptionally Costly Stays | |
| 148.130 | Hospital Outpatient and Clinic Services | |
| 148.140 | Public Law 103-66 Requirements | |
| 148.150 | Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million | |
| 148.160 | Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act | |
| 148.170 | Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act | |
| 148.175 | Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting | |
| 148.180 | Copayments | |
| 148.190 | Alternate Reimbursement Systems | |
| 148.200 | Filing Cost Reports | |
| 148.210 | Pre September 1, 1991 Admissions | |
| 148.220 | Admissions Occurring on or after September 1, 1991 | |
| 148.230 | Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements | |
| 148.240 | Determination of Alternate Payment Rates to Certain Exempt Hospitals | |
| 148.250 | Calculation and Definitions of Inpatient Per Diem Rates | |
| 148.260 | Determination of Alternate Cost Per Diem Rates for All Hospitals; | |
| 148.270 | Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals | |
| 148.280 | Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements | |
| 148.285 | Excellence in Academic Medicine Payments | |

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- 148.290 Adjustments and Reductions to Total Payments
- 148.295 Critical Hospital Adjustment Payments (CHAP)
- 148.296 Tertiary Care Adjustment Payments
- 148.297 Pediatric Outpatient Adjustment Payments
- 148.298 Pediatric Inpatient Adjustment Payments
- 148.300 Payment
- 148.310 Review Procedure
- 148.320 Alternatives
- 148.330 Exemptions
- 148.340 Substance Alcoholism and Substance Abuse Treatment Services
- 148.350 Definitions (Repealed)
- 148.360 Types of Substance Alcoholism and Substance Abuse Treatment Services (Repealed)
- 148.368 Volume Adjustment (Repealed)
- 148.370 Payment for Substance Alcoholism and Substance Abuse Treatment Services
- 148.380 Rate Appeals for Substance Alcoholism and Substance Abuse Treatment Services (Repealed)
- 148.390 Hearings
- 148.400 Special Hospital Reporting Requirements

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17

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Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 24 Ill. Reg. 18320, effective December 15, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; emergency amendment at 25 Ill. Reg. 9974 -, effective July 23, 2001 for a

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maximum of 150 days.

Section 148.285 Excellence in Academic Medicine Payments
EMERGENCY

Payments in accordance with Public Act 89-5067, payments for Qualified Academic Medical Center Hospitals certain hospitals providing graduate medical education shall be made for inpatient admissions occurring on or after July 1, 1996, and shall be made for Independent Academic Medical Center Hospitals providing graduate medical education for inpatient admissions occurring on or after July 1, 2001, as follows:

a) Subject to the availability of funds from the accounts within the Medical Research and Development Fund as defined in Public Act 89-506, including any federal financial participation reimbursed for payments under this subsection (a) of this Section, payments shall be made to hospitals under the following criteria:

1) Each Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital shall receive a percentage of the amount available from the National Institutes of Health Account, equal to that hospital's percentage of the total contracts and grants from the National Institutes of Health awarded to Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospitals and their affiliated medical schools during the preceding calendar year as reported to the Department.

2) Each Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital shall receive payment from the Philanthropic Medical Research Account equal to 25 percent of all funded grants (other than grants funded by the State of Illinois or the National Institutes of Health) for biomedical research, technology, or programmatic development received by the Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital during the preceding calendar year as reported to the Department.

3) Each Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital shall receive payment from the Market Medical Research Account equal to 20 percent of the funding for the project, if, based upon submission of information to the Department, the hospital:

A) contributes 40 percent of the funding, that is at least \$100,000, for a biomedical research or technology project or a programmatic development project, and

B) obtains contributions from the private sector equal to 40 percent of the funding for the project.

b) No hospital receiving payments from the Medical Research and Development Fund shall receive more than 20 percent of the total amount appropriated to the Fund, except that total payments from the Fund to the primary teaching hospitals affiliated with the Southern Illinois University School of Medicine in Springfield, considered as a

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single entity, may not exceed the product of:

1) One-sixth of the total amount available for distribution from the Medical Research and Development Fund, and

2) The quotient of the National Institutes of Health grants or contracts awarded to the Southern Illinois University School of Medicine in Springfield and its affiliated primary teaching hospitals in the previous calendar year divided by \$8,000,000.

c) The Southern Illinois University School of Medicine in Springfield and its affiliated primary teaching hospitals located in Springfield, considered as a single entity, shall be deemed to be a Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital for the purposes of calculating subsections (a) and (b) of this Section. Payments under subsections (a) and (b) of this Section made to the Southern Illinois University School of Medicine in Springfield and its affiliated primary teaching hospitals located in Springfield shall be made to, and divided equally between, the primary teaching hospitals in Springfield.

d) Subject to the availability of funds from the Post-Tertiary Clinical Services Fund, including any federal financial participation reimbursed for payments under this subsection (d), payments shall be made to Qualified Academic Medical Center Hospitals for up to three Qualified Programs in any given year as reported to the Department. Qualified Academic Medical Center Hospitals may receive continued funding for previously funded Qualified Programs rather than receive funding for a new program so long as the number of Qualified Programs receiving funding does not exceed three. Each hospital receiving payments under this subsection (d) shall receive an equal percentage of the Post-Tertiary Clinical Services Fund to be used in the funding of Qualified Programs.

e) Subject to the availability of funds from the Independent Academic Medical Center Fund, including any federal financial participation reimbursed for payments under this subsection (e), payments shall be made to Independent Academic Medical Center Hospitals.

f) Payments from both funds under this Section are made to cover the direct costs associated with providing Medicaid services and shall be made directly to the Qualified Academic Medical Center Hospitals or Independent Academic Medical Center Hospitals due the funds, except any funds due to any primary teaching hospital for the University of Illinois School of Medicine at Rockford and the University of Illinois School of Medicine at Peoria shall be paid to the University of Illinois at Chicago Medical Center Hospital, which shall be bound to expend the funds on its affiliated hospitals due the funds.

g) No Academic Medical Center Hospital shall be eligible for payments from the Medical Research and Development Fund unless the Academic Medical Center Hospital, in connection with its affiliated medical school, received at least \$8,000,000 in the preceding calendar year in grants or contracts from the National Institutes of Health, except that this restriction does not apply to the entity specified in

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subsection (c) of this Section above.

hg) The rate period for payments made under this Section shall be the 12 month period beginning July 1, 1996, for Qualified Academic Medical Center Hospitals, and July 1, 2001, for Independent Academic Medical Center Hospitals. A qualifying hospital's total annual payments from each fund and account described in this Section shall be divided into four equal payments and be made by the later of:

- 1) the fifteenth working day after July 1, October 1, January 1, and March ~~April~~ 1, or
- 2) the fifteenth working day after the Department's receipt of reporting information required under subsection (j) of this Section ~~that~~ below.

ih) Payments made under this Section are for inpatient Medicaid services provided in the 12 month period preceding the rate period.

ji) Qualified Academic Medical Center Hospitals initially identified by the Department as qualifying under any payment criteria of this Section must complete and return a survey, developed by the Department, attesting to information required to calculate payments under this Section. The Department will mail the survey at least 21 days prior to its due date. Failure to complete and submit required information by the due dates established by the Department will result in forfeiture of payments under this Section.

k) If a hospital is eligible for funds from the Independent Academic Medical Center Fund, that hospital shall not receive funds from the Medical Research and Development Fund or the Post-Tertiary Clinical Services Fund. If a hospital receives funds from the Medical Research and Development Fund or the Post-Tertiary Clinical Services Fund, that hospital is ineligible to receive funds from the Independent Academic Medical Center Fund.

ld) Definitions

As used in this Section, unless the context requires otherwise:

- 1) "Academic Medical Center Hospital" means a hospital located in Illinois which is either under common ownership with the college of medicine of a college or university, or a free-standing hospital in which the majority of the clinical chiefs of service are department chairmen in an affiliated medical school.
- 2) "Academic Medical Center Children's Hospital" means a children's hospital which is separately incorporated and non-integrated into the Academic Medical Center Hospital, but which is the pediatric partner for an Academic Medical Center Hospital and serves as the primary teaching hospital for pediatrics for its affiliated medical school. Children's hospitals which are separately incorporated, but integrated into the Academic Medical Center Hospital, are considered part of the Academic Medical Center Hospital.
- 3) "Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means an Academic Medical Center Hospital located in the Chicago Metropolitan Statistical Area.

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- 4) "Non-Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means an Academic Medical Center Hospital located outside the Chicago Metropolitan Statistical Area.
- 5) "Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means any Chicago Metropolitan Statistical Area Academic Medical Center Hospital that either directly or in connection with its affiliated medical school receives in excess of \$8,000,000 in grants or contracts from the National Institutes of Health during the calendar year preceding the beginning of the State fiscal year, except for the purposes of subsection (c) of this Section.

6) "Qualified Non-Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means the primary teaching hospital of the University of Illinois School of Medicine at Peoria, the primary teaching hospital for the University of Illinois School of Medicine at Rockford and the primary teaching hospitals for Southern Illinois University School of Medicine in Springfield.

7) "Qualified Academic Medical Center Hospital" means a Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital, a Qualified Non-Chicago Metropolitan Statistical Area Academic Medical Center Hospital or an Academic Medical Center Children's Hospital.

8) "Independent Academic Medical Center Hospital" means the primary teaching hospital for the University of Illinois College of Medicine that is located in Urbana.

9a) "Qualified Program" includes:

- A) Thoracic transplantation: heart and lung, in particular, and mechanisms of drug resistance in cancer therapy,
- B) Cancer: particularly biologic modifiers of tumor response, and mechanisms of drug resistance in cancer therapy,
- C) Shock/Burn: development of biological alternatives to skin for grafting in burn injury, and research in mechanisms of shock and tissue injury in severe injury,
- D) Abdominal transplantation: kidney, liver, pancreas, and development of islet cell and small bowel transplantation technologies,
- E) Minimally invasive surgery: particularly laparoscopic surgery,
- F) High performance medical computing: telemedicine and teleradiology,
- G) Transmyocardial laser revascularization: a laser creates holes in heart muscles to allow new blood flow,
- H) PET scanning: viewing how organs function (CT and MRI only allow viewing of the structure of an organ),
- I) Strokes in the African-American community: particularly risk factors for cerebral vascular accident (strokes) in the African-American community at much higher risk than the general population,
- J) Neurosurgery: particularly focusing on interventional

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- neuroradiology,
- K) Comprehensive eye center: including further development in pediatric eye trauma,
- L) Cancers: particularly melanoma, head and neck,
- M) Pediatric cancer,
- N) Invasive pediatric cardiology, and
- O) Pediatric organ transplantation: transplantation of solid organs and marrow and other stem cells; and-
- P) Such other programs as may be identified by the Department and the Qualified Academic Medical Center Hospital, and approved by the Department, for those programs that meet appropriate biomedical research, technology, or programmatic development standards.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 9974 - 7 effective July 23, 2001, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Uniform Commercial Code
- 2) Code Citation: 14 Illinois Administrative Code 180
- 3) Section Number: Emergency Action:
 180.10 Amendment
 180.11 Amendment
 180.12 Amendment
 180.13 Amendment
 180.14 Amendment
 180.15 New Section
 180.16 New Section
 180.17 New Section
 180.18 New Section
- 4) Statutory Authority: Implementing and authorized by Article 9 of the Uniform Commercial Code [810 ILCS 5/Art. 9].
- 5) Effective Date of Emergency Amendment: July 23, 2001
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This Emergency Amendment will not expire before the end of the 150-day period.
- 7) Date filed with the Index Department: July 23, 2001
- 8) A copy of the emergency amendments, including any material incorporated by reference is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Revised Article 9 of the Uniform Commercial Code went into effect on July 1, 2001. These rules are required by Section 9-526 of the Code [810 ILCS 5/9-526]. Immediate implementation is necessary while the public comments on the proposed rules.
- 10) A Complete Description of the Subject and Issues Involved: Article 9 of the Uniform Commercial Code was amended July 1, 2001, as a part of the nationwide effort by the National Conference of Commissioners on Uniform State Laws. The amendments made sweeping changes to the law in Illinois and several other states, with the purpose of bringing greater certainty to financing transactions. Section 5 of Article 9 charges the Secretary of State's office with the duty of accepting financing statements for filing and maintaining a recordkeeping system to allow quick and accurate searches by lenders and others.
- 11) Are there any proposed amendments to this Part pending: No
- 12) Statement of Statewide Policy Objectives: This emergency amendment will

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NOTICE OF EMERGENCY AMENDMENTS

not require any new expenditures by units of local government.

- 13) Information and questions regarding this Emergency Amendment shall be directed to:

Raymond J. Watson
Assistant General Counsel
Office of the General Counsel
Howlett Building, Room 298
Springfield, IL 62756
217/785-3094

The full text of the Emergency Amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATE

PART 180

UNIFORM COMMERCIAL CODE

Section

180.10 Definitions

EMERGENCY

180.11 Tender of UCC Records for Filing/Search Request Delivery

EMERGENCY Business-Hours-and-Location

180.12 Forms Sale-of-information

EMERGENCY

180.13 Filing Fees/Methods of Payment/Overpayment and Underpayment

EMERGENCY Policies Fees

180.14 Public Record Services Forms-and-Documents

EMERGENCY

180.15 Acceptance and Refusal of Records

EMERGENCY

180.16 UCC Information Management Systems

EMERGENCY

180.17 Filing and Data Entry Procedures

EMERGENCY

180.18 Search Requests and Reports

EMERGENCY

AUTHORITY: Implementing and authorized by Article 9 of the Uniform Commercial Code [810 ILCS 5/Art. 9].

SOURCE: Adopted at 12 Ill. Reg. 17431, effective November 1, 1988; amended at 18 Ill. Reg. 2101, effective February 1, 1994; amended at 20 Ill. Reg. 7064, effective May 8, 1996; emergency amendment at 25 Ill. Reg. 984-9, effective July 23, 2001 for a maximum of 150 days; amended at 25 Ill. Reg. 984-9, effective 11/21/2001.

Section 180.10 Definitions

EMERGENCY

"Amendment" means a UCC record that amends the information contained in a financing statement. Amendments include assignments, continuations and terminations.

"Assignment" is an amendment that assigns all or a part of a secured party's power to authorize an amendment to a financing statement.

"Continuation statement" shall have the meaning prescribed by 9-102(27).

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"Correction statement" means a UCC record that indicates that a financing statement is inaccurate or wrongfully filed.

"Department" shall mean the Department of Business Services of the Office of the Secretary of State.

"Director" shall mean the Director of the Department.

"File number" shall have the meaning prescribed by Section 9-519(b) of the Uniform Commercial Code [810 ILCS 5/9-519(b)].

"Filing office" and "filing officer" mean Secretary of State (see Section 9-501 of the Uniform Commercial Code) [810 ILCS 5/9-501].

"Financing statement" shall have the meaning prescribed by Section 9-102(39) of the Uniform Commercial Code [810 ILCS 5/9-102(39)].

"Individual" means a human being or a decedent, in the case of a debtor, that is such decedent's estate.

"Initial financing statement" means a UCC record that does not identify itself as an amendment or identify an initial financing statement to which it relates, as required by Sections 9-512, 9-514 or 9-518 of the Uniform Commercial Code [810 ILCS 5/9-512, 9-514, or 9-518].

"Organization" means a legal person who is not an individual.

"Remitter" means a person who tenders a UCC record to the filing officer for filing, whether the person is a filer or an agent of a filer responsible for tendering the record for filing. "Remitter" does not include a person responsible merely for the delivery of the record to the filing office, such as the postal service or a courier service, but does include a service provider who acts as a filer's representative in the filing process.

"Secretary" shall mean the Secretary of State of Illinois.

"Secured party of record" shall have the meaning prescribed in Section 9-511 of the Uniform Commercial Code [810 ILCS 5/9-511].

"Termination statement" shall have the meaning prescribed by Section 9-102(79) of the Uniform Commercial Code [810 ILCS 5/9-102(79)].

"UCC" means the Uniform Commercial Code-Secured Transactions as adopted in this state at 810 ILCS 5/Art. 9.

~~UCC shall mean Article 9 of the Uniform Commercial Code--[810--ILCS~~

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"UCC Division" shall mean that unit of the Department which records, maintains, supplies copies, and otherwise administers the UCC.

"UCC record" means an initial financing statement, an amendment, an assignment, a continuation, a termination, or a correction statement, and shall not be deemed to refer exclusively to paper-based writings.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 4984-03, effective July 23, 2001, for a maximum of 150 days)

Section 180.11 Tender of UCC Records for Filing/Search Request Delivery Business-Hours-and-Location EMERGENCY

a) UCC records may be tendered for filing at the UCC Division as follows:

1) Personal delivery, at the UCC Division's street address. The file time for a UCC record delivered by this method is when delivery of the UCC record is accepted by the filing office (even though the UCC record may not yet have been accepted for filing and subsequently may be rejected).

2) Courier delivery, at the UCC Division's street address. The file time for a UCC record delivered by this method is, notwithstanding the time of delivery, the next close of business following the time of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected). A UCC record delivered after regular business hours or on a day the filing office is not open for business, if not examined for processing sooner, will have a filing time of the close of business on the next day the filing office is open for business.

3) Postal service delivery, to the filing office's mailing address. The file time for a UCC record delivered by this method is the next close of business following the time of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected). A UCC record delivered after regular business hours or on a day the filing office is not open for business will have a filing time of the close of business on the next day the filing office is open for business.

4a) The UCC Division business hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays, in Springfield only.

5b) The office address is Room 030, Howlett Building, Springfield, IL 62756.

b) UCC search requests may be delivered to the filing office by any of the means by which UCC records may be delivered to the filing office. A search request for a debtor named on an initial financing statement may not be made on the initial financing statement form, even if the

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form has a space for such request. Search requests must be made on the UCC-11 form approved by the International Association of Corporation Administrators.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 9984, effective July 23, 2001, for a maximum of 150 days)

Section 180.12 Forms Sale-of-Information

EMERGENCY

The forms prescribed by Section 9-521 of the Uniform Commercial Code [810 ILCS 5/9-521] shall be accepted by the filing office. Forms approved by the International Association of Corporate Administrators on or prior to July 1, 2001, and forms approved by the UCC Division shall be accepted. Forms approved for filing prior to July 1, 2001 will be accepted until December 31, 2001.

a) In order to insure the legibility after records are scanned into the imaging system of the UCC Division, the information on each record submitted shall be typewritten or computer generated typeface. The names and addresses of the debtor and the secured party shall be in capital letters with a font size of at least 12 in Times Roman style. The remitter shall submit two copies of each record, along with a self-addressed stamped envelope. The UCC Division shall retain one copy for their records and return one copy to the remitter as an acknowledgement.

c) All UCC records must contain the full legal name of the debtor and indicate whether the debtor is an individual or an organization. If the debtor is an organization, the record must include the type of organization, the jurisdiction of the organization, and the organizational identification number of the debtor. Records that do not contain this information will not be accepted for filing. The disclosure on the records of the social security number or tax identification number of the debtor is voluntary only, and records will be accepted for filing without the number.

Computer-Records

1) The Uniform Commercial Code master file contained in the computer records of the Secretary of State Department of Business Services, which consists of the name of the secured party, the name of the debtor, the address of both, the description code of the collateral, type of transaction and number of transactions, and other pertinent information required by Article 9 of UCC, the file shall be purchased only as a whole, for which the fee is \$27,500.00.

2) Weekly update through modem access only shall be sold to any subscriber at the rate of \$200.00 per week. All requests must be in writing submitted to the Director.

3) Any purchaser of transmitted computer data shall sign a contract setting forth the terms and conditions of the sale, including the above described fees. Purchaser shall supply computer tapes of

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such quality to be compatible with the computer equipment used by the Department, as specified by the Data Processing Department of the Secretary of State.

4) The fees shall be paid prior to the transfer of the information from the Secretary of State's Office to the purchaser, and shall not be refundable once the order is accepted by the Department. Acceptance shall be evidenced by the Department's signing of the contract.

b) Non-Computer-Records

1) The daily list of UCC filings, either in paper form, monthly microfilm, roll, or microfiche version of the filings, is available for purchase for a fee of \$250.00 per month. Purchases shall only be made on a twelve-month subscription basis. A subscription can be ordered by written request submitted to the Director, and shall include the first month's fee.

2) The lists stated herein are not available in any other format.

c) Document-Copies

1) Copies of documents on file with the UCC Division shall be requested only in writing, submitted by mail or in person to the UCC Division Office.

2) The fee for any copy shall be \$1.00 per page (Section 9-407 of the UCC).

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 9984, effective July 23, 2001, for a maximum of 150 days)

Section 180.13 Filing Fees/Methods of Payments/Overpayment and Underpayment Policies Fees
EMERGENCY

a) Filing fees.

1) The fee for filing and indexing a UCC record communicated on paper or in a paper-based format is \$20.

2) A fee of \$20.00 shall be paid for an initial financing statement that indicates that it is filed in connection with a public-finance transaction and a fee of \$20 shall be paid for an initial financing statement that indicates that it is filed in connection with a manufactured-home transaction.

3) UCC search fee. The fee for a UCC search request communicated on paper or in a paper-based format is \$10 per name searched.

4) UCC search -- copies. The fee for UCC search copies is \$1 per page.

b) Methods of Payment. Filing fees and fees for public records services may be paid by the following methods.

1) Cash. Payment in cash shall be accepted, if paid in person at the filing office.

2) Checks. Personal checks, cashier's checks and money orders made payable to the filing office, shall be accepted for payment if

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they are drawn on a bank acceptable to the filing office or if the drawer is acceptable to the filing office.

- 3) Electronic funds transfer. The filing office may accept payment via electronic funds transfer under National Automated Clearing House Association ("NACHA") rules from remitters who have entered into appropriate NACHA-approved arrangements for such transfers and who authorize the relevant transfer pursuant to such arrangements and rules.

- 4) Credit cards. The UCC Division shall accept payment by credit cards issued by approved issuers. Remitters shall provide the filing officer with the card number, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued, the daytime telephone number of the remitter and the billing address for the card. Payment will not be deemed tendered, until the issuer or its agent has confirmed payment. A current list of approved credit card issuers is available from the filing office.

- c) Overpayment and Underpayment Policies

- 1) Overpayment. The filing officer shall refund an overpayment only upon the written request of the remitter. Requests for refund shall contain the debtor's name and address, the file number and date of filing the record for which overpayment was made. If the record for which a refund is requested is a UCC-3, the request must also include the file number of the original filing.

- 2) Underpayment. Upon receipt of a record with an insufficient fee, the filing officer shall return the record to the remitter as provided in Rule 205. The tendered payment shall be included with the record.

- a) The statutory fees applicable to the filing of documents with the UCC Division are stated in Sections 9-401 through 9-408 of the UCC.

- b) Acceptable form of payment: personal check, money order or any certified bank draft or by a credit card approved by the Secretary of State's Department of Accounting--Revenue through contracts--let pursuant to bid.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 9904 effective July 23, 2001, for a maximum of 150 days)

Section 180.14 Public Record Services Forms and Documents EMERGENCY

Public records services are provided on a non-discriminatory basis to any member of the public on the terms described in this Part. The following methods are available for obtaining copies of UCC records and copies of data for the UCC information management system.

- a) Individually identified records. Copies of individually identified UCC records are available in the paper form upon written request to the UCC Division.

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- b) Bulk copies of records. Bulk copies of UCC records are available in CD-Rom.

- c) Data from the information management system. A list of available data elements from the UCC information management system and the file layout of the data elements are available from the UCC Division upon request. Any purchaser of transmitted computer data shall sign a contract setting forth the terms and conditions of the sale, including the fees described in Rule 109. Data from the information management system is available as follows.

- 1) Full extract. A bulk data extract of information from the UCC information management system is available on a weekly basis.
- 2) Update extracts. Updates of information from the UCC information management system are available on a weekly basis.

- 3) Format. Extracts from the UCC information management system are available in the following format:

FYP (File Transfer Protocol)

- d) Direct on-line services. On-line services make UCC data available on a subscription basis. A description of subscription services is available from the filing officer.

- e) Fees for public records services. Fees for public records are established as follows:

- 1) Paper copies of individual records. The fee for paper copies of UCC records is \$1.00 per page.

- 2) Bulk copies of records. Bulk copies of UCC records are available for a fee of \$25.00 per month, payable 1 month in advance. Purchases shall only be made on a twelve-month subscription basis. A subscription can be ordered by written request submitted to the Director, and shall include the first month's fee.

- 3) Data from the information management system. Fees for data from the information management system shall be paid prior to the transfer of the information from the UCC Division to the purchaser, and shall not be refundable, once the order is accepted by the Department. Acceptance shall be evidenced by the Department's signing of the contract.

- A) Full extract. The fee for the master file, which may only be purchased as a whole, shall be \$2,500.00.

- B) Update extracts. The fee for weekly updates shall be \$200.00.

- 4) Third party on-line services. Information regarding fees for third party on-line services may be obtained from the Department.

- a) All UCC forms and documents presented to the UCC Division for filing shall contain their information in a typewritten format.

- b) All UCC forms and documents must contain the full legal name and federal employer identification number of the debtor as defined in Section 9-109(d) of the Act, forms and documents which do not contain this information will not be accepted for filing. The disclosure on the forms of the social security number of the debtor is voluntary

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assignee name or address and some names or addresses are missing or illegible or, no address is given in the address field. As used in this Section, address is deemed to include street address, city, state and postal code.

1) Deadline for filing a continuation statement. The first day on which a continuation statement may be filed is the date corresponding to the date upon which the financing statement would lapse, six months preceding the month in which the financing statement would lapse. If there is no such corresponding date, the first day on which a continuation may be filed on the last day of the sixth month preceding the month in which the financing statement would lapse.

2) Last day permitted. The last day on which a continuation may be filed is the date upon which the financing statement lapses.

c) Procedure upon refusal. Except as provided in Section 180.14 of this Part, if the filing officer finds grounds to refuse a UCC record, the filing officer shall return the record to the remitter and shall return the filing fee.

d) Notification of defects. Nothing in these rules prevents a filing officer from communicating to a filer or a remitter that the filing officer noticed apparent potential defects in a UCC record, whether or not it was filed or refused for filing. However, the filing officer is under no obligation to do so and may not, in fact, have the resources to do so, or to identify such defects. The responsibility for the legal effectiveness of filing rests with filers and remitters and the filing officer bears no responsibility for such effectiveness.

e) Refusal errors. If a secured party or a remitter demonstrates to the satisfaction of the filing officer that a UCC record that was refused for filing should not have been, the filing officer will file the UCC record as provided in these rules with a filing date and time assigned when such filing occurs. The filing officer will also file a filing officer statement that states the effective date and time of filing which shall be the date and time the UCC record was originally tendered for filing.

(Source: Added by emergency rulemaking at 25 Ill. Reg. effective July 23, 2001, for a maximum of 150 days)

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Section 180.16 UCC Information Management System
EMERGENCY

Policy statement. The UCC Division uses an information management system to store, index, and retrieve information relating to financing statements. The information management system includes an index of the names of debtors named on financing statements that have not lapsed. The rules in this Section describe the UCC information management system.

a) Primary data elements. The primary data elements used in the UCC information management system are the following.

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only, and forms and documents will be accepted for filing without the number. The design of all Illinois UCC forms is approved by the Director of the Department of Business Services for the Secretary of State of Illinois.

d) Any change in the content or design of these forms within a given calendar year becomes effective on January 1 of the next year. Currently used forms will be accepted until January 1 of the year following the effective date.

e) The only forms approved for filing with the Illinois Secretary of State Uniform Commercial Code Division are:

1) UCC-1, entitled "Financing Statement", measures 5 1/2 x 8 1/2 in size. Only the first three pages of the form are to be submitted (labeled "Alphabetic", "Numerical", and "Acknowledgement") to the UCC Division. The purpose is to perfect the security agreement of non-titled collateral.

2) UCC-3, entitled "Assignment-Power", measures 5 1/2 x 8 1/2 in size. Only the first three pages of the form are to be submitted (labeled "Alphabetic", "Numerical", and "Acknowledgement") to the UCC Division. The purpose of the form is multiple in nature to allow amendments, assignments, continuations, partial releases, and terminations of original filings.

3) UCC-11.7, entitled "Information/Copies", measures 5 1/2 x 8 1/2 in size. All four pages are to be submitted to the UCC Division. The purpose is to request the search of UCC files to determine if any files of record exist against the debtor(s).

(Source: Amended by emergency rulemaking at 25 Ill. Reg. effective July 23, 2001, for a maximum of 150 days)

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Section 180.15 Acceptance and Refusal of Records
EMERGENCY

a) Role of Secretary. The duties and responsibilities of the Secretary with respect to the administration of the UCC are ministerial. In accepting for filing or refusing to file a UCC record pursuant to these rules, the Secretary does none of the following:

1) Determine the legal sufficiency or insufficiency of a record.
2) Determine that a security interest in collateral exists or does not exist.
3) Determine that information in the record is correct or incorrect, in whole or in part.

4) Create a presumption that information in the record is correct or incorrect, in whole or in part.

b) Grounds for refusal. In addition to the grounds listed in Section 9-516 of the Uniform Commercial Code [810 UCCS 5/9-516], allowing the filing officer to refuse a UCC record, the filing officer shall refuse a UCC record if the record contains more than one secured party or

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1) Identification numbers.

A) Each initial financing statement is identified by its file number as described in rule 101.7. Identification of the initial financing statement is stamped on written UCC records or otherwise permanently associated with the record maintained for UCC records in the UCC information management system. A record is created in the information management system for each initial financing statement and all information comprising such record is maintained in such system. Such record is identified by the same information assigned to the initial financing statement.

B) A UCC record other than an initial financing statement is identified by a unique file number assigned by the filing officer. In the information management system, records of all UCC records other than initial financing statements are linked to the record of their related initial financing statement.

2) Type of record. The type of UCC record from which data is transferred is identified in the information management system from information supplied by the remitter.

3) Filing date and filing time. The filing date and filing time of UCC records are stored in the information management system. Calculation of the lapse date of an initial financing statement is based upon the filing date.

4) Identification of parties. The names and addresses of debtors and secured parties are transferred from UCC records to the UCC information management system using one or more data entry or transmittal techniques.

5) Status of financing statement. In the information management system, each financing statement has a status of active or inactive.

6) Page count. The total number of pages in a UCC record is maintained in the information management system.

7) Lapse indicator. An indicator is maintained by which the information management system identifies whether or not a financing statement will lapse and, if it does, when it will lapse.

b) Names of debtors who are individuals. For the purpose of this rule, "individual" means a human being, or a decedent in the case of a debtor that is such decedent's estate. This rule applies to the name of a debtor or a secured party on a UCC record who is an individual.

1) Individual name fields. The names of individuals are stored in files that include only the names of individuals, and not the names of organizations. The filing officer assumes no responsibility for the accurate designation of the components of a name, but will accurately enter the data in accordance with the filer's designations.

2) Titles and prefixes before names. Titles and prefixes, such as

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"doctor," "reverend," "Mr.," and "Ms.," should not be entered in the UCC information management system. However, when a UCC record is submitted with designated name fields, the data will be entered in the UCC information management system exactly as it appears.

3) Titles and suffixes after names. Title or indications of status such as "M.D." and "esquire" shall not be entered in the UCC information management system. Suffixes are not part of an individual's name and should not be provided by filers in UCC records. Suffixes that indicate which individual is being named, such as "senior," "junior," "I," "II," and "III," are entered into the information management system exactly as received.

4) Truncation - individual names. Personal name fields in the UCC database are fixed in length. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field. The maximum length of the data entry name field is 64 characters.

c) Names of debtors that are organizations. This rule applies to the name of an organization that is a debtor or a secured party on a UCC record.

1) Single field. The names of organizations are stored in files that include only the names of organizations and not the names of individuals. A single field is used to store an organization name.

2) Truncation - organization names. The organization name field in the UCC database is fixed in length. The maximum length is 64 characters. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field.

d) Estates. Although they are not human beings, estates are treated as if the decedent were the debtor under rule 302.

e) Trusts. If the trust is named in its organic record(s), its full legal name, as set forth in such record(s) is used. Such trusts are treated as organizations. If the trust is not so named, the name of the settlor is used. If a settlor is indicated to be an organization, the name is treated as an organization name. If the settlor is an individual, the name is treated as an individual name. A UCC record that uses a settlor's name should include other information provided by the filer to distinguish the debtor trust from other trusts having the same settlor and all financing statements filed against trusts or trustees acting with respect to property held in trust should indicate the nature of the debtor. If this is done in, or as part of, the name of the debtor, it will be entered as if it were a part of the name. Initial financing statement. Upon the filing of an initial financing statement the status of the parties and the status of the financing statement shall be as follows.

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- 1) Status of secured party. Each secured party named on an initial financing statement shall be a secured party of record, except that if the UCC record names an assignee, the secured party/assignor shall not be a secured party of record and the secured party/assignee shall be a secured party of record.
- 2) Status of debtor. The status of a debtor named on the record shall be active and shall continue as active until one year after the financing statement lapses.
- 3) Status of financing statement. The status of the financing statement shall be active. A lapse date shall be calculated, five years from the file date, unless the initial financing statement indicates that it is filed with respect to a public-financing transaction or a manufactured-home transaction, in which case the lapse date shall be thirty years from the file date, or if the initial financing statement indicates that it is filed against a transmitting utility, in which case there shall be no lapse date. A financing statement remains active until one year after it lapses, or if it is indicated to be filed against a transmitting utility, until one year after it is terminated with respect to all secured parties of record.
- g) Amendment. Upon the filing of an amendment the status of the parties and the status of the financing statement shall be as follows.
 - 1) Status of secured party and debtor. An amendment shall affect the status of its debtor(s) and secured party(ies) as follows:
 - A) Collateral amendment or address change. An amendment that amends only the collateral description or one or more addresses has no effect upon the status of any debtor or secured party. If a statement of amendment is authorized by less than all of the secured parties (or, in the case of an amendment that adds collateral, less than all of the debtors), the statement affects only the interests of each authorizing secured party (or debtor).
 - B) Debtor name change. An amendment that changes a debtor's name has no effect on the status of any debtor or secured party, except that the related initial financing statement and all UCC records that include an identification of such initial financing statement shall be cross-indexed in the UCC information management system, so that a search under either the debtor's old name or the debtor's new name will reveal such initial financing statement and such related UCC records. Such a statement of amendment affects only the rights of its authorizing secured party(ies).
 - C) Secured party name change. An amendment that changes the name of a secured party has no effect on the status of any debtor or any secured party, but the new name is added to the index as if it were a new secured party of record.
 - D) Addition of a debtor. An amendment that adds a new debtor name has no effect upon the status of any party to the

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- financing statement, except the new debtor name shall be added as a new debtor on the financing statement. The addition shall affect only the rights of the secured party(ies) authorizing the statement of amendment.
- E) Addition of a secured party. An amendment that adds a new secured party shall not affect the status of any party to the financing statement, except that the new secured party name shall be added as a new secured party on the financing statement.
- F) Deletion of a debtor. An amendment that deletes a debtor has no effect on the status of any party to the financing statement, even if the amendment purports to delete all debtors.
- G) Deletion of a secured party. An amendment that deletes a secured party of record has no effect on the status of any party to the financing statement, even if the amendment purports to delete all secured parties of record.
- 2) Status of financing statement. An amendment shall have no effect upon the status of the financing statement, except that a continuation may extend the period of effectiveness of a financing statement.
- h) Assignment of powers of secured party of record.
 - 1) Status of the parties. An assignment shall have no effect on the status of the parties to the financing statement, except that each assignee named in the assignment shall become a secured party of record.
 - 2) Status of financing statement. An assignment shall have no effect upon the status of the financing statement.
 - i) Continuation. Status of parties upon filing a continuation.
 - 1) Continuation of lapse date. Upon the timely filing of one or more continuations by any secured party(ies) of record, the lapse date of the financing statement shall be postponed for five years.
 - 2) Status of parties. The filing of a continuation shall have no effect upon the status of any party to the financing statement.
 - 3) Status of financing statement. Upon the filing of a continuation statement, the status of the financing statement remains active.
 - j) Termination. Status of parties upon filing a termination.
 - 1) Status of parties. The filing of a termination shall have no effect upon the status of any party to the financing statement.
 - 2) Status of financing statement. A termination shall have no effect upon the status of the financing statement. The financing statement shall remain active in the information management system until one year after it lapses, unless the termination relates to a financing statement that indicates it is filed against a transmitting utility, in which case, the financing statement will become inactive one year after it is terminated with respect to all secured parties of record.

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k) Correction statement.

1) Status of parties. The filing of a correction statement shall have no effect upon the status of any party to the financing statement.

2) Status of financing statement. A correction statement shall have no effect upon the status of the financing statement.

l) Procedure upon lapse. If there is no timely filing of a continuation with respect to a financing statement, the financing statement lapses on its lapse date, but no action is then taken by the filing office. On the first anniversary of such lapse date, the information management system renders, or is caused to render the financing statement inactive and the financing statement will no longer be made available to searcher, unless inactive statements are requested by the searcher and the financing statement is still retrievable by the information management system.

(Source: Added by emergency rulemaking at 25 Ill. Reg. 9984, effective July 23, 2001, for a maximum of 150 days)

Section 180.17 Filing and Data Entry ProceduresEMERGENCY

a) Errors of the filing officer. The filing officer may correct the errors of filing office personnel in the UCC information management system at any time. If the correction occurs after the filing officer has issued a certification date, the filing officer shall file a filing officer correction statement in the UCC information management system identifying the record to which it relates, the date of the correction and explaining the nature of the corrective action taken. The record shall be preserved as long as the record of the initial financing statement is preserved in the UCC information management system.

b) Data entry of names - designated fields. A filing should designate whether a name is a name of an individual or an organization. If the name is that of an individual, the first, middle and last names and any suffix shall be given.

1) Organization names. Organization names are entered into the UCC information management system exactly as set forth in the UCC record, even if it appears that multiple names are set forth in the record, or if it appears that the name of an individual has been included in the field designated for an organization name.

2) Individual names. On a form that designates separate fields for first, middle, and last names and any suffix, the filing officer enters the names into the field, last name first, then first name, middle name, and any suffix in the UCC information management system exactly as set forth on the form.

3) Designated fields encouraged. The filing office encourages the use of forms that designate separate fields for individual and

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organization names and separate fields for first, middle, and last names and any suffix. Such forms diminish the possibility of filing office error and help assure that filers' expectations are met. However, filers should be aware that the inclusion of names in an incorrect field or failures to transmit names accurately to the filing office may cause filings to be ineffective.

c) Notice of bankruptcy. The filing officer shall take no action upon receipt of a notification, formal or informal, of a bankruptcy proceeding involving a debtor named in the UCC information management system.

(Source: Added by emergency rulemaking at 25 Ill. Reg. 9984, effective July 23, 2001, for a maximum of 150 days)

Section 180.18 Search Requests and ReportsEMERGENCY

General requirements. The filing officer maintains for public inspection a searchable index for all records of UCC documents. The index shall provide for the retrieval of a record by the name of the debtor and by the file number of the initial financing statement each filed UCC record relating to the initial financing statement.

a) Search requests. Search requests shall contain the following information.

1) Name searched. A search request should set forth the name of the debtor to be searched and must specify whether the debtor is an individual or an organization. A search request will be processed using the name in the exact form it is submitted. Each search request shall be limited to one debtor name.

2) Requesting party. The name and address of the person to whom the search report is to be sent.

3) Fee. The appropriate fee shall be enclosed, payable by a method described in Section 180.13 of this Part.

4) Search request with filing. If a filer requests a search at the time a UCC record is filed, the name searched will be the debtor name as set forth on the form. The requesting party shall be the remitter of the UCC record, and the search request shall be deemed to request a search that would retrieve all financing statements filed on or prior to the date the UCC record is filed.

b) Rules applied to search requests. Search results are produced by the application of standardized search logic to the name presented to the filing officer. Human judgment does not play a role in determining the results of the search. The following rules apply to searches.

1) There is no limit to the number of matches that may be returned in response to the search criteria.

2) No distinction is made between upper and lower case letters.

3) Punctuation marks and accents are disregarded.

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- 4) Words and abbreviations at the end of a name that indicate the existence or nature of an organization as set forth in the "Ending Noise Words" list as promulgated and adopted by the International Association of Corporation Administrators are disregarded. Such words include, but may not be limited to, the following:

| | | |
|------------------|-------------------|------------------|
| Agency | Incorporated | PLCC |
| Trustee | LC | Prof Assn |
| Assoc | Limited | Prof Corp |
| Assn | Limited Liability | Professional |
| Assoc | Company | Association |
| Associates | Limited Liability | Professional |
| Association | Partnership | Corporation |
| Attorneys at Law | Limited | Professional |
| Bank | Partnership | Limited |
| Business Trust | LLC | Liability |
| Charter | LLLP | Company |
| Chartered | LLP | Real Estate |
| Co | LP | Investment Trust |
| Company | Ltd. | Registered |
| Corp | Ltd. Partnership | Limited |
| Corporation | MDPA | Liability |
| Credit Union | MDPC | Partnership |
| CU | Medical Doctors | REIT |
| Federal Credit | Professional | RLLP |
| Union | Association | SA |
| Federal Savings | Medical Doctors | Savings |
| Bank | Professional | Association |
| FSB | Corporation | Sole |
| Gen Part | NA | Proprietorship |
| General | National | SP |
| Partnership | Association | SPA |
| GP | National Bank | Trust |
| Inc | PA | Trustee |
| | Partners | |
| | Partnership | |
| | PC | |

- 5) The word "the" at the beginning of the search criteria is disregarded.
- 6) All spaces are disregarded.
- 7) For first and middle names of individuals, initials are treated as the logical equivalent of all names that begin with such initials, and first name and no middle name or initial is equated with all middle names and initials. For example, a search request for "John A. Smith" would cause the search to retrieve all filings against all individual debtors with "John" or the initial "J" as the first name, "Smith" as the last name, and with

SECRETARY OF STATE

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the initial "A" or any name beginning with "A" in the middle name field. If the search were for "John Smith" (first and last names with no designation in the middle name field), the search would retrieve all filings against individual debtors with "John" or the initial "J" as the first name, "Smith" as the last name and with any name or initial or no name or initial in the middle name field.

- 8) After using the preceding rules to modify the name to be searched, the search will reveal only names of debtors that are contained in unexpired financing statements and, exactly match the name requested, as modified.
- c) Optional information. A UCC search request may contain any of the following information.
- 1) The request may limit the records requested by limiting them by (the address of the debtor,) the city of the debtor, the date of filing (or a range of filing dates) on the financing statements. A report created by the filing officer in response to such a request shall contain the statement, "A limited search may not reveal all filings against the debtor searched and the searcher bears the risk of relying on such a search."
 - 2) The request may ask for copies of UCC records identified on the primary search response.
 - 3) Instructions on the mode of delivery desired, if other than by ordinary mail, which request will be honored if the requested mode is available to the filing office.
 - d) Search responses. Reports created in response to a search request shall include the following.
 - 1) Filing officer. Identification of the filing officer and the certification of the filing officer required by law.
 - 2) Report date. The date the report was generated.
 - 3) Name searched. Identification of the name searched.
 - 4) Certification date. The certification date and time for which the search is effective.
 - 5) Identification of initial financing statements. Identification of each unexpired initial financing statement filed on or prior to the certification date and time corresponding to the search criteria, by name of debtor, by identification number, and by file date and file time.
 - 6) History of financing statement. For each initial financing statement on the report, a listing of all related UCC records filed by the filing officer on or prior to the certification date.
 - 7) Copies. Copies of all UCC records revealed by the search and requested by the searcher.

(Source: Added by emergency rulemaking at 25 Ill. Reg. effective July 23, 2001, for a maximum of 150 days)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF WITHDRAWAL OF PROPOSED RULE

1) Heading of the Part: Early Start

2) Code Citation: 89 Ill. Adm. Code 502

| <u>Section Numbers</u> | <u>Proposed Action:</u> |
|------------------------|-------------------------|
| 502.10 | Withdrawal |
| 502.15 | Withdrawal |
| 502.20 | Withdrawal |
| 502.25 | Withdrawal |
| 502.30 | Withdrawal |
| 502.35 | Withdrawal |
| 502.40 | Withdrawal |
| 502.45 | Withdrawal |
| 502.50 | Withdrawal |
| 502.55 | Withdrawal |
| 502.60 | Withdrawal |
| 502.65 | Withdrawal |
| 502.70 | Withdrawal |
| 502.75 | Withdrawal |
| 502.80 | Withdrawal |
| 502.85 | Withdrawal |
| 502.90 | Withdrawal |
| 502.95 | Withdrawal |
| 502.100 | Withdrawal |
| 502.105 | Withdrawal |
| 502.110 | Withdrawal |
| 502.115 | Withdrawal |

APPENDIX A

4) Date Notice of Proposed Amendments Published in the Illinois Register:
February 16, 2001, 25 Ill. Reg. 2636

5) Reason for the Withdrawal: The Department has chosen not to implement the provisions detailed in this rule.

DEPARTMENT OF PUBLIC AID

AGENCY RESPONSE TO JOINT COMMITTEE
RECOMMENDATION ON PROPOSED RULEMAKING

1) Heading of the Part: Medical Payment

2) Code Citation: 89 Ill. Adm. Code 140

| <u>Section Number:</u> | <u>Proposed Action:</u> |
|------------------------|-------------------------|
| 140.445 | Amendment |
| 140.446 | Amendment |
| 140.447 | Amendment |

4) Notice of Proposed Amendments Published in the Illinois Register: December 29, 2000 (24 Ill. Reg. 18999)

5) JCAR Statement of Recommendation on Proposed Rulemaking Published in the Illinois Register: May 18, 2001 (25 Ill. Reg. 6555)

6) Summary of Action Taken by the Agency: At its meeting on April 18, 2001, the Joint Committee on Administrative Rules considered the above-cited rulemaking and issued a recommendation that the Department codify into rule the pharmacy dispensing fee.

The Department understands the concern of the Joint Committee, and dispensing fees pertaining to generic and brand name prescription drugs have been adopted at Section 140.445 by emergency action, effective July 1, 2001. These emergency amendments appeared in the *Illinois Register* on July 13, 2001, at 25 Ill. Reg. 8850.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLICATION ERROR

phone: 217-524-7506. You may file written comments relating to the proposed settlement by sending them to the same address. Comments received or postmarked within thirty (30) days of this notice shall be considered.

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLICATION ERROR

NOTICE OF PROPOSED SETTLEMENT
PEOPLE OF THE STATE OF ILLINOIS V. TEXACO, INC.

You are hereby notified that the Illinois Attorney General, James E. Ryan, on behalf of the Illinois Environmental Protection Agency ("Illinois EPA"), has reached a proposed settlement agreement with Texaco, inc., regarding the former Indian Refining site in Lawrenceville, Lawrence County, Illinois. The proposed settlement will result in an order directing Texaco, Inc., to implement and complete certain remedial actions including a Remedial Investigation and Feasibility Study under the oversight of the Illinois EPA and the Attorney General and to reimburse the State of Illinois for response, remedial, investigative, and oversight activities undertaken by the State of Illinois as a result of the release and/or threatened release of hazardous substances at the former Indian Refining site.

PUBLIC COMMENT

Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601, et seq., you have thirty (30) days from the date of this notice to file written comments relating to the proposed settlement. If such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate, consent to the proposed settlement may be withdrawn or withheld.

You may obtain a copy of the proposed settlement for review (at no charge) by calling or writing to James L. Morgan, Assistant Attorney General, Office of the Attorney General, 500 S. Second Street, Springfield, Illinois 62706,

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- a) Part(s) (Heading and Code Citation): Illinois Noxious Weed Law, 8 Ill. Adm. Code 220

1) Rulemaking:

- A) Description: The Department is proposing to add kudzu (*Pueraria lobata*) to the list of Illinois Noxious Weeds. It has been declared a federal noxious weed and a new initiative in Illinois to eradicate it is about to start. Adding this plant to the state list will raise the awareness of the problem and allow county weed superintendents to include kudzu control in their annual noxious weed control plans.

- B) Statutory Authority: Illinois Noxious Weed Law [505 ILCS 100/4]

- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of the proposed rule in the *Illinois Register*. A public hearing will be held near the end of the public comment period.

- D) Date Agency anticipates First Notice: August 2001

- E) Effect on small business, small municipalities or not for profit corporations: This rulemaking will have little effect on municipalities, small businesses, or not for profit corporations. Entities may benefit due to the elimination of this invasive species. Through an interagency agreement proposed by Illinois Department of Natural Resources, IDNR will bear the cost of kudzu eradication treatments.

- F) Agency contact person for information:

Scott Frank
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/785-2427
217/524-4882 (fax)

- G) Related rulemakings and other pertinent information: None

- b) Part(s) (Heading and Code Citation): Land Application Authorization Program, 8 Ill. Adm. Code 258

1) Rulemaking:

- A) Description: As a result of the development of rules at 8 Ill.

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Adm. Code 259, Agrichemical Facility Response Action Program, remediation suitability determination levels for several pesticides listed in Part 258 need to be changed. The changes will provide consistency between these two related rules. Land application authorization for contaminated soils from agrichemicals in transit or at the field of application may also be added pending final legislative action.

- B) Statutory Authority: Illinois Pesticide Act [415 ILCS 60/19]

- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of the proposed rule in the *Illinois Register*. A public hearing will be held near the end of the public comment period.

- D) Date Agency anticipates First Notice: August 2001

- E) Effect on small business, small municipalities or not for profit corporations: This rulemaking will have no effect on municipalities or not-for-profit corporations. The consistency of rules provided by this rulemaking will benefit small businesses such as agrichemical facilities.

- F) Agency contact person for information:

Warren Goetsch
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/785-4233
FAX: 217/524-4882

- G) Related rulemakings and other pertinent information: The rules for the Agrichemical Facility Response Action Program, 8 Ill. Adm. Code 259, are related to this rulemaking. Part 259 is anticipated to go to first notice in July 2001.

- c) Part(s) (Heading and Code Citation): Agrichemical Facility Response Action Program, 8 Ill. Adm. Code 259

1) Rulemaking:

- A) Description: Retail agrichemical facilities conducting remediation activities of soil or groundwater contamination from pesticide releases may opt to request a written approval from the Department of Agriculture for the voluntary site assessment and corrective action. The owner or operator of the facility can apply for

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Department review and approval for plans and reports detailing the scope and implementation of the environmental response actions. Upon successful completion of the pesticide release cleanup and remediation, the Department shall issue a notice of closure indicating that site specific cleanup objectives have been met and no further remedial action is required to remedy the pesticide release pursuant to the Illinois Pesticide Act (415 ILCS 60/19.3).

- B) Statutory Authority: Illinois pesticide Act [415 ILCS 60/19]
- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of the proposed rule in the *Illinois Register*. A public hearing will be held near the end of the public comment period.
- D) Date Agency anticipates First Notice: July 2001
- E) Effect on small business, small municipalities or not for profit corporations: This rulemaking will have no effect on municipalities or not-for-profit corporations. Small businesses, such as some types of agrichemical facilities, will benefit from the remediation option allowed by these rules.
- F) Agency contact person for information:
- Warren Goetsch
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/785-4233
FAX: 217/524-4882
- G) Related rulemakings and other pertinent information: The rules for the Land Application Authorization Program, 8 Ill. Adm. Code 258, are related to this rulemaking.

- d) Part(s) (Heading and Code Citation): Lawncare Wash Water and Rinsate Collection, 8 Ill. Adm. Code 256

1) Rulemaking:

- A) Description: Amendments to the Lawn Care Products Application and Notice Act are pending final action by the Governor. If signed, the amendments would require that lawn care products must be loaded in designated containment areas. Currently only washing and rinsing activities must be performed in containment areas. Many sections of this Part would be changed to reflect the new

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requirement.

- B) Statutory Authority: Lawn Care Products Application and Notice Act [415 ILCS 65/6]
- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45 day public comment period following publication of the proposed rule in the *Illinois Register*. A public hearing will be held near the end of the public comment period.
- D) Date Agency anticipates First Notice: September 2001
- E) Effect on small business, small municipalities or not for profit corporations: This rulemaking, implementing requirements of the Lawn Care Products Application and Notice Act, will have an effect on those small businesses or municipalities involved in lawn care or golf course businesses. Some businesses that possessed agreements with others for rinsing and washing may be required to install a containment facility to more efficiently load application equipment.
- F) Agency contact person for information:
- Warren Goetsch
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/785-4233
FAX: 217/524-4882
- G) Related rulemakings and other pertinent information: None

- e) Part(s) (Heading and Code Citation): Agrichemical Facilities, 8 Ill. Adm. Code 255

1) Rulemaking:

- A) Description: The rules currently require containment at agrichemical facilities storing, loading and mixing prescribed amounts of agrichemicals for a determined time period. Concern has been raised about the increasing occurrence of the on-farm storage of large amounts of agrichemicals. Many of these sites do not fit the definitions contained in the rules and therefore are not subject to the current regulations. This Part would be amended to include these types of facilities.

- B) Statutory Authority: Illinois Pesticide Act [415 ILCS 60] and

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Illinois Fertilizer Act [505 ILCS 80]

C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of the proposed rule in the *Illinois Register*. A public hearing will be held near the end of the public comment period.

D) Date Agency anticipates First Notice: October 2001

E) Effect on small business, small municipalities or not for profit corporations: This rulemaking will have no effect on municipalities or not-for-profit corporations. Small businesses, such as some farms will be required to add containment structures to their agricultural storage areas.

F) Agency contact person for information:

Warren Goetsch
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/785-4233
FAX: 217/524-4882

G) Related rulemakings and other pertinent information: None

f) Part(s) (Heading and Code Citation): Farmland Preservation Act, 8 Ill. Adm. Code 700

1) Rulemaking:

A) Description: The Farmland Preservation Act requires that state agency policy statements and working agreements on farmland preservation shall be updated by the state agency and reviewed and approved by the Department of Agriculture every three years. The purpose of the rulemaking activity is to update the policy statements and working agreements, as necessary, to protect Illinois' agricultural land base from needless state agency farmland conversion impacts.

B) Statutory Authority: Farmland Preservation Act [505 ILCS 75/1-8]

C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of the proposed rule in the *Illinois Register*. A public hearing will be held near the end of the public comment period.

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D) Date Agency anticipates First Notice: October 2001

E) Effect on small business, small municipalities or not for profit corporations: No impacts anticipated

F) Agency contact person for information:

James R. Hartwig
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-6297
FAX: 217/557-0993

G) Related rulemakings and other pertinent information: None

g) Part(s) (Heading and Code Citation): Swine Disease Control and Eradication Act, 8 Ill. Adm. Code 105

1) Rulemaking:

A) Description: The Department will only recognize the status of Qualified Pseudorabies Negative and Controlled Vaccinated Herds from Stage III states if the herd is conducting monthly testing.

Section 105.110 was added on November 1, 2000 establishing the Voluntary Porcine Reproductive and Respiratory Disease (PRRS) Monitored Herd Program. Since this is a new program, some changes may be necessary.

B) Statutory Authority: Illinois Swine Disease Control and Eradication Act [510 ILCS 100/1/1]; Illinois Pseudorabies Control Act [510 ILCS 90/1]; and Illinois Swine Brucellosis Eradication Act [510 ILCS 95/1]

C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

D) Date Agency anticipates First Notice: July 2001

E) Effect on small business, small municipalities or not for profit corporations: Additional testing may be required for producers exporting swine into Illinois from Stage I, II or III States. There will be no effect on Illinois swine producers.

F) Agency contact person for information:

DEPARTMENT OF AGRICULTURE

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Dr. Richard Hull
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-4944
FAX: 217/524-7702

G) Related rulemakings and other pertinent information: None

- h) Part(s) (Heading and Code Citation): Illinois Pseudorabies Control Act, 8 Ill. Adm. Code 115

1) Rulemaking:

- A) Description: The Department will update all cites to the CFR. The Department will change the testing requirement for feeder swine entering Illinois from Stage III states or areas to have a monitoring test within the past 30 days.

- B) Statutory Authority: Illinois Pseudorabies Control Act [510 ILCS 90/1]

- C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

- D) Date Agency anticipates First Notice: July 2001

- E) Effect on small business, small municipalities or not for profit corporations: No effect on Illinois businesses.

- F) Agency contact person for information:

Dr. Richard Hull
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-4944
FAX: 217/524-7702

G) Related rulemakings and other pertinent information: None

- i) Part(s) (Heading and Code Citation): Illinois Bovidae and Cervidae Tuberculosis Eradication Act, 8 Ill. Adm. Code 80

1) Rulemaking:

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- A) Description: The regulation regarding testing requirements for bison entering Illinois will be revised to require that bison from accredited-free states either originate from an accredited-free herd or have an individual test within 30 days of importation, and bison originating from non-accredited free states will be required to originate from herds where a complete herd test has been conducted within the past two years, and the animals being imported have had two individual tests 180 and 30 days prior to importation.

Feeder cattle entering Illinois from non-accredited states will be required to originate from a herd where a complete negative herd test has been conducted within the past year, and the individual animals have a negative test within 30 days of importation (Section 80.160). Section 80.80 will be amended to include the same requirements Section 80.160.

Illinois animals being exhibited in non-accredited free states will be required to be isolated, upon return to Illinois, and retested for tuberculosis 60-120 days after re-entry.

A prior permit will be required for all cattle, bison, cervidae and goats entering Illinois for any reason other than immediate slaughter from non-accredited tuberculosis states.

- B) Statutory Authority: Illinois Bovidae and Cervidae Tuberculosis Eradication Act [510 ILCS 35/1]

- C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

- D) Date Agency anticipates First Notice: July 2001

- E) Effect on small business, small municipalities or not for profit corporations: Anyone exhibiting animals in non-accredited free states will be required to keep the animals isolated upon return to Illinois, and tested negative for tuberculosis, before the animals can be returned to the main herd/flock. To date, only Michigan and two counties in Texas are not accredited-free areas.

- F) Agency contact person for information:

Dr. Richard D. Hull
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-4944

DEPARTMENT OF AGRICULTURE

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FAX: 217/524-7702

G) Related rulemakings and other pertinent information: Nonej) Part(s) (Heading and Code Citation): Diseased Animals, 8 Ill. Adm. Code 851) Rulemaking:

A) Description: All references to the CFR will be updated to the most recent edition and any new editions of the Brucellosis Uniform Methods and Rules, the Voluntary Scrapie Flock Certification Program, the Voluntary Johne's Disease Herd Status Program, or the National Paratuberculosis Certification Program, if published. Herds that have been restricted due to Johne's disease will have the restrictions removed if the herd enrolls in the Voluntary Paratuberculosis (Johne's Disease) Risk Management Program.

West Nile Virus will be added to both the reportable diseases and the contagious or infectious diseases lists.

The scrapie program will be revised to make Illinois a consistent state under the U.S. Department of Agriculture's scrapie program. This will include the requirement that Illinois goats and sheep be individually identified when moving into or within the state, and a health certificate issued within 30 days for Illinois sheep and goats changing ownership or being exhibited with the state. Movement restrictions will be established for animals originating from source or infected flocks, or designated as high-risk animals.

Restrictions will be adopted regarding the movement of cervids into and within Illinois from herds where Chronic Wasting Disease (CWD) has been diagnosed within the last 60 months, and develop a CWD herd monitoring program. A statement on the import health certificate regarding the CWD status of the herd will be required.

Herds enrolling in the Voluntary Johne's Disease Herd Certification Program or the Risk Management Program will be able to do the annual testing on a split herd testing program, if the program is included in the annual herd plan.

Johne's disease culture positive animals will be "J" punched in the left ear. Herds with culture positive animals will be restricted until the culture positive animals have been eliminated from the herd and the herd has been enrolled in either of the two Johne's disease programs.

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Herds enrolled in the Johne's Disease Risk Management Program will have the option of purchasing animals from a herd of unknown status if the purchased animal is kept isolated from the other members of the herd until a negative organism detection test has been conducted.

B) Statutory Authority: Illinois Diseased Animals Act [510 ILCS 50/1]; Section 6 of the Illinois Bovine Brucellosis Eradication Act [510 ILCS 30/6]; Livestock Auction Market Law [225 ILCS 640/1]; and Equine Infectious Anemia Control Act [510 ILCS 65]

C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

D) Date Agency anticipates First Notice: July 2001

E) Effect on small business, small municipalities or not for profit corporations: Herds restricted for Johne's disease will have an alternative method for having the movement restrictions lifted. Sheep and goat owners moving their animals within the state will be required to obtain a health certificate from an accredited veterinarian prior to movement. This health certificate is valid for 30 days. Also, all sheep and goats moving in Illinois will be required to have a unique identification. Herds with a positive diagnosis of Chronic Wasting Disease (CDW) will be restricted in movement and herd owners will be required to develop a monitoring program for their herd.

F) Agency contact person for information:

Dr. Richard D. Hull
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-4944
FAX: 217/524-7702

G) Related rulemakings and other pertinent information: None

k) Part(s) (Heading and Code Citation): Animal Disease Laboratories Act, 8 Ill. Adm. Code 110

1) Rulemaking:

A) Description: The entire fee schedule has been reviewed and prices increased to bring the Animal Diagnostic Laboratories in line with

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prices at the University of Illinois College of Veterinary Medicine Laboratory. Most of these fees had not been increased since the laboratory fee system was initiated in 1985. In most cases, these fees are equal to or lower than those being charged by private laboratories.

B) Statutory Authority: Animal Disease Laboratories Act [510 ILCS 10/1]

C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

D) Date Agency anticipates First Notice: July 2001

E) Effect on small business, small municipalities or not for profit corporations: Veterinarians and persons using the diagnostic facilities at the animal diagnostic laboratories operated by the Illinois Department of Agriculture.

F) Agency contact person for information:

Dr. Richard D. Hull
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-4944
FAX: 217/524-7702

G) Related rulemakings and other pertinent information: The fee increases became effective at the University of Illinois College of Veterinary Medicine on March 19, 2001.

1) Part(s) (Heading and Code Citation): Livestock Auction Markets, 8 Ill. Adm. Code 40

1) Rulemaking:

A) Description: All sheep and goats moving through auction markets will be required to be uniquely identified. Markets will be required to keep track of the identification of these animals, along with information regarding the seller and purchaser. These records must be submitted to the Department on a weekly basis. These requirements are in response to the need to be able to trace sheep and goats to the flock of origin due to the incidence of scrapie.

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References of the Code of Federal Regulations (CFR) will be updated.

Animals consigned to slaughter will be "C" punched and placed in the slaughter only pen. The person consigning the animals will be required to sign a statement that the animals are for slaughter only, and these statements must be forwarded to the Department on a weekly basis.

B) Statutory Authority: Livestock Auction Market Law [225 ILCS 640 et seq.]

C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

D) Date Agency anticipates First Notice: July 2001

E) Effect on small business, small municipalities or not for profit corporations: Auction market operators will be required to keep records on all sheep and goats moving through the market, and tag any animals not already identified. Animals consigned for slaughter only will be "C" punched, a statement signed by the consignee, and records of the sale maintained by the market. Records must be submitted to the Department on a weekly basis.

F) Agency contact person for information:

Dr. Richard Hull
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-4944
217/524-7702 (fax)

G) Related rulemakings and other pertinent information: None

m) Part(s) (Heading and Code Citation): Livestock Dealer Licensing, 66 Ill. Adm. Code 610

1) Rulemaking:

A) Description: Goats will be added to Sections 610.40 and 610.60. Records regarding the purchase of sheep and goats will be required to be mailed to the Department weekly. This requirement is in response to the need to be able to trace sheep and goats to the flock of origin due to the incidence of scrapie.

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References to the CFR will be updated.

- B) Statutory Authority: Illinois Livestock Dealer Licensing Act [225 ILCS 645/1 et seq.]

- C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

- D) Date Agency anticipates First Notice: July 2001

- E) Effect on small business, small municipalities or not for profit corporations: Dealers will be required to submit records regarding the purchase of sheep and goats to the Department on a weekly basis.

- F) Agency contact person for information:

Dr. Richard Hull
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/782-4944
217/524-7702 (fax)

- G) Related rulemakings and other pertinent information: None

- n) Part(s) (Heading and Code Citation): Dead Animal Disposal Act, 8 Ill. Adm. Code 90

1) Rulemaking:

- A) Description: Section 90.110 will be amended to add a requirement that all persons operating composting facilities for the disposal of dead animals must record the location of the compost with the Department and make the compost available for inspection.

- B) Statutory Authority: Illinois Dead Animal Disposal Act [225 ILCS 610]

- C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

- D) Date Agency anticipates First Notice: July 2001

- E) Effect on small business, small municipalities or not for profit

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corporations: Persons operating a composter for the disposal of dead animals would be required to record the location of the composter with the Department and make the facility available for inspection.

- F) Agency contact person for information:

Dr. David Bromwell
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-6657
FAX: 217/524-7702

- G) Related rulemakings and other pertinent information: None

- o) Part(s) (Heading and Code Citation): Animal Welfare Act, 8 Ill. Adm. Code 25

1) Rulemaking:

- A) Description: Regulations will be developed governing boarding facilities known as "day care" centers for animals.

- B) Statutory Authority: Animal Welfare Act [225 ILCS 605] and the Illinois Diseased Animals Act [510 ILCS 50]

- C) Scheduled meeting/hearing date: It is anticipated that the Department will convene a meeting of the Advisory Board of Livestock Commissioners in October 2001.

- D) Date Agency anticipates First Notice: July 2001

- E) Effect on small business, small municipalities or not for profit corporations: Persons operating boarding facilities known as "day care" facilities for animals will be required to meet certain requirements to operate these types of facilities.

- F) Agency contact person for information:

Dr. David Bromwell
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281
217/782-6657
FAX: 217/524-7702

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615] Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: April 2001

E) Effect on small business, small municipalities or not for profit corporations: Egg packagers and distributors will not be able to regrade and repack older eggs. It is seldom that eggs are repackaged and resold to consumers. This amendment will insure that eggs being sold for human consumption are fresh.

F) Agency contact person for information:

Sid Colbrook
Illinois Department of Agriculture
State Fairgrounds
Springfield, IL 62794-9281
217/782-3817
FAX: 217/524-7801

G) Related rulemakings and other pertinent information: None

r) Part(s) (Heading and Code Citation): Weights and Measures Act, 8 Ill. Adm. Code 600

1) Rulemaking:

A) Description: The National Type Evaluation Program has been adopted as the standards for new weighing and measuring devices. Procedures need to be implemented to provide device users and installers information regarding the installation or transfer of weighing and measuring devices.

Pursuant to the Illinois Weights and Measures Act, the Department collects fees for device inspections. There are some devices such as mass flow meters that do not have an established inspection fee. Amendments to this Part will add fees for all devices being inspected by the Department that are not included in the current fee schedule.

This proposed change will increase inspection fees. Weights and measures device users and companies that submit weights and measures standards and testing equipment to the Department's Metrology Laboratory are assessed an inspection fee. These fees

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Related rulemakings and other pertinent information: None

p) Part(s) (Heading and Code Citation): Motor Fuel Standards Act, 8 Ill. Adm. Code 850

1) Rulemaking:

A) Description: This Part will be amended to delete procedures for charging consumers when motor fuel samples are analyzed to be consistent with changes made to the Act.

B) Statutory Authority: Motor Fuel Standards Act [815 ILCS 370]

C) Scheduled meeting/hearing dates: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: April 2001

E) Effect on small business, small municipalities or not for profit corporations: No adverse impact is anticipated

F) Agency contact person for information:

Sid Colbrook
Illinois Department of Agriculture
State Fairgrounds
Springfield, IL 62794-9281
217/782-3817
FAX: 217/524-7801

G) Related rulemakings and other pertinent information: None

q) Part(s) (Heading and Code Citation): Egg and Egg Products Act, 8 Ill. Adm. Code 65

1) Rulemaking:

A) Description: The United States Department of Agriculture (USDA) has issued a prohibition on the repackaging of eggs packed under USDA's voluntary grading program. Amendments will be made relating to the enforcement of the Illinois Egg and Egg Products Act to follow USDA's standards that eggs sold for human consumption cannot be repackaged. The rules will be amended to clarify that the 30 day expiration date should be marked on each carton of eggs.

B) Statutory Authority: Illinois Egg and Egg Products Act [410 ILCS

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are deposited into the Weights and Measures Fund and are used for activities related to the enforcement of the Weights and Measures Act. Although costs continue to increase, fees have not been increased since January 1, 1996.

- B) Statutory Authority: Weights and Measures Act [225 ILCS 470]
- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.
- D) Date Agency anticipates First Notice: August 2001
- E) Effect on small business, small municipalities or not for profit corporations: Inspection fees paid by users will slightly increase.
- F) Agency contact person for information:
- Sid Colbrook
Illinois Department of Agriculture
State Fairgrounds
Springfield, IL 62794-9281
217/782-3817
FAX: 217/524-7801
- G) Related rulemakings and other pertinent information: None

- s) Part(s) (Heading and Code Citation): Administrative Rules (Formal Administrative Proceedings; Contested Cases; Petitions; Public Disclosure), 8 Ill. Adm. Code 1

1) Rulemaking:

- A) Description: The Department's procedural rules will be updated, including adding a provision establishing a fee for any party requesting a copy of an administrative hearing transcript, and reorganized.
- B) Statutory Authority: Sections 5-10, 5-145, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-40, 10-50, and 10-60 of the Illinois Administrative Procedure Act [5 ILCS 100/5-10, 5-145, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-40, 10-50, and 10-60] and the Freedom of Information Act [5 ILCS 140]
- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of

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proposed rulemaking in the *Illinois Register*.

- D) Date Agency anticipates First Notice: September 2001
- E) Effect on small business, small municipalities or not for profit corporations: Any party requesting a copy of an administrative hearing transcript will be responsible for the costs associated with the transcription.
- F) Agency contact person for information:
- Cynthia Ervin
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/785-4507
FAX: 217/785-4505
- G) Related rulemakings and other pertinent information: None

- t) Part(s) (Heading and Code Citation): Freedom of Information Act, 2 Ill. Adm. Code 701

1) Rulemaking:

- A) Description: Amendments to this Part will update these rules in accordance with statutory amendments. The fee schedule in Section 701.140 will also be amended and updated.
- B) Statutory Authority: Freedom of Information Act [5 ILCS 140]
- C) Scheduled meeting/hearing date: None
- D) Date Agency anticipates First Notice: First Notice publication is not required under this Part.
- E) Effect on small businesses, small municipalities or not for profit corporations: There will be an increase in duplication costs for those requesting copies under the FOIA.

- F) Agency contact person for information:

Cynthia Ervin
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/785-4507

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FAX: 217/785-4505

G) Related rulemakings and other pertinent information: None

- u) Part(s) (Heading and Code Citation): Illinois State Fair, and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds, 8 Ill. Adm. Code 270

1) Rulemaking:

A) Description: New regulations will be developed regarding advertising in State Fair publications [20 ILCS 210/6]. Amendments to "Facility Availability" (Section 270.420) will be amended to facilitate additional rentals to maximize income throughout the non-fair season. A clarification is needed to further explain the Department's policy of allowing last year's lessees to have first right to the same dates in subsequent years in Section 270.380 concerning "Application for Space".

B) Statutory Authority: State Fair Act [20 ILCS 210] and Section 40.14 and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16 and 40.14]

C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: August 2001

E) Effect on small business, small municipalities or not for profit corporations: This rulemaking will affect those wishing to rent space/buildings on the fairgrounds and those advertising in fair publications.

F) Agency contact person for information:

Bud Ford
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/782-0771
FAX: 217/782-9115

G) Related rulemakings and other pertinent information: None

- v) Part(s) (Heading and Code Citation): Meat and Poultry Inspection Act, 8

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Ill. Adm. Code 125

1) Rulemaking:

A) Description: Expanding provisions for existing Section 125.141 by requiring all licensed plants, Type I and Type II, to operate and maintain Sanitation SOP at all times.

Update all cites to the Code of Federal Regulations (CFR).

B) Statutory Authority: Meat and Poultry Inspection Act [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16]

C) Scheduled meeting/hearing dates: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: September 2001

E) Effect on small business, small municipalities or not for profit corporations: All Type I establishments are operating under provisions of Sanitation SOP since October 1, 1997. Currently the recordkeeping requirement is limited to operations conducted under inspection. Due to increase in numbers for operations conducted outside of official hours, but still involving meat and poultry products, becomes necessary to expand existing requirements for providing uniform sanitation procedures. Only 8% of very small businesses (Type II) will be required to adopt these rules. The Department will provide guidance and assistance during implementation process.

F) Agency contact person for information:

Dr. Kris Mazurczak
Illinois Department of Agriculture
State Fairgrounds
Springfield, IL 62794-9281
217/782-3817
FAX: 217/524-7801

G) Related rulemakings and other pertinent information: None

- w) Part(s) (Heading and Code Citation): Fairs Operating Under the Agricultural Fair Act, 8 Ill. Adm. Code, Part 260

1) Rulemaking:

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- A) Description: As a result of the General Assembly passing Senate Bill 1281 in December 2000, county fair rules need to be revised.
- B) Statutory Authority: Agricultural Fair Act [30 ILCS 120]
- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.
- D) Date Agency anticipates First Notice: August 2001
- E) Effect on small business, small municipalities or not for profit corporations: No impacts anticipated
- F) Agency contact person for information:
James J. Reynolds
Illinois Department of Agriculture
State Fairgrounds
Springfield, IL 62794-9281
217/782-4231
FAX: 217/524-6194
- G) Related rulemakings and other pertinent information: None
- x) Part(s) (Heading and Code Citation): Standardbred, Thoroughbred and Quarter Horse Breeding and Racing Programs, Illinois, 8 Ill. Adm. Code 290
- 1) Rulemaking:
- A) Description: The Department will amend Section 290.210(a) to change "registered Illinois conceived and foaled horses that were conceived before May 30, 1995" to "registered Illinois conceived and foaled horses prior to May 30, 1995."
- B) Statutory Authority: The Illinois Horse Racing Act of 1975 [230 ILCS 5/30]
- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.
- D) Date Agency anticipates First Notice: August 2001
- E) Effect on small business, small municipalities or not for profit corporations: No impacts anticipated.

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- F) Agency contact person for information:
James J. Reynolds
Illinois Department of Agriculture
State Fairgrounds
Springfield, IL 62794-9281
217/782-4231
FAX: 217/524-6194
- G) Related rulemakings and other pertinent information: None
- y) Part(s) (Heading and Code Citation): Illinois Fertilizer Law, 8 Ill. Adm. Code 215
- 1) Rulemaking:
- A) Description: The rule changes would adopt many of the national standards for the safe handling of anhydrous ammonia. It would allow the Department to utilize new technology and equipment developed since the last rulemaking.
- B) Statutory Authority: The Fertilizer Law [505 ILCS 80]
- C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.
- D) Date Agency anticipates First Notice: October 2001
- E) Effect on small business, small municipalities or not for profit corporations: No adverse impacts are anticipated
- F) Agency contact person for information:
Mark Ringler
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794
217/785-1082
FAX: 217/524-7801
- G) Related rulemakings and other pertinent information: None
- z) Part(s) (Heading and Code Citation): Illinois Seed Law, 8 Ill. Adm. Code 230

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1) Rulemaking:

A) Description: The rule changes will allow the Department to offer different tests that are currently available for seed products and allow the establishment of fees for these tests(i.e. T2, seed county, etc.). These rules allow for the Department to update its services offered to those groups or individuals wishing to utilize them.

B) Statutory Authority: The Illinois Seed Law [505 ILCS 110]

C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: October 2001

E) Effect on small business, small municipalities or not for profit corporations: No adverse impact is expected.

F) Agency contact person for information:

Mark Ringler
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/785-1082
FAX: 217/524-7801

G) Related rulemakings and other pertinent information: None

aa) Part(s) (Heading and Code Citation): The Grain Code, 8 Ill. Adm. Code 281

1) Rulemaking:

A) Description: The Department intends to propose rules for the Grain Code as a result of the amendments enacted in SB1070. SB1070 changed the method by which a person registers for the authority to print price later contracts and warehouse receipts.

B) Statutory Authority: 240 ILCS 40/1-1

C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: September 2001

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E) Effect on small business, small municipalities or not for profit corporations: No effect anticipated.

F) Agency contact person for information:

Bob Leach
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/785-8306
FAX: 217/524-7801

G) Related rulemakings and other pertinent information: None

bb) Part(s) (Heading and Code Citation): Illinois State Fair, and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds, 8 Ill. Adm. Code 270

1) Rulemaking:

A) Description: Amendments to "Non-Fair Space Rental, Payment Process, Camping, Facility Availability, Insurance, Concessions, Gambling, Raffles, Prizes, Beverages, Rate Schedules, Contract and General Stabling Rules will be amended to facilitate additional rentals to maximize income throughout the non-fair season. In addition, the amendments will bring the rules in line with new procedures on the DuQuoin and Illinois State Fairgrounds.

B) Statutory Authority: State Fair Act [20 ILCS 210]

C) Scheduled meeting/hearing date: Written comments may be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: September 2001

E) Effect on small business, small municipalities or not for profit corporations: This rulemaking will affect those wishing to rent space/buildings on the fairgrounds.

F) Agency contact person for information:

Jeff Dillman, Non-Fair Events Manager
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/782-1698

DEPARTMENT OF AGRICULTURE

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FAX: 217/557-5729

Sammye Fark, Fair Manager
DuQuoin State Fair
655 Executive Drive
DuQuoin, IL 62832
618/542-1515
FAX: 618/542-1541

G) Related rulemakings and other pertinent information: None

cc) Part(s) (Heading and Code Citation): Illinois AgriFIRST Program Act of 2001

1) Rulemaking:

A) Description: Rules will be adopted to implement a grant program for value-added agricultural products.

B) Statutory Authority: Senate Bill 994

C) Scheduled meeting/hearing date: No hearings have been set to date. However, hearings will be held during the 45-day first-notice period. Written comments may also be submitted during the 45-day public comment period following publication of proposed rulemaking in the *Illinois Register*.

D) Date Agency anticipates First Notice: August 2001

E) Effect on small businesses, small municipalities or not for profit corporations: Small agribusiness should benefit from the grant program for value-added agricultural products.

F) Agency contact person for information:

Cynthia Ervin
Illinois Department of Agriculture
P. O. Box 19281
Springfield, IL 62794-9281
217/785-4507
217/785-4505 (fax)

G) Related rulemakings and other pertinent information: None

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a) Parts Heading and Code Citation: Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

1) Rulemaking:

A) Description: These rules will be amended to clarify the hearing process and update rules references.

B) Statutory Authority: Department of Public Health Act [20 ILCS 2305]

C) Scheduled meeting/hearing dates: The State Board of Health will review a final draft of the amendments.

D) Date agency anticipates First Notice: October 2001

E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed changes should not have an effect on these entities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

b) Parts (Heading and Code Citation):
Hospital Licensing Requirements (77 Ill. Adm. Code 250)
Maternal Death Review (77 Ill. Adm. Code 657)

1) Rulemaking:

A) Description: These rules will be amended to change the time period for reporting a maternal death, consistent with proposed amendments to the definition of maternal death in 77 Ill. Adm. Code 657 (Maternal Death Review). The rules currently require a report to be made within 90 days following the termination of a pregnancy. The reporting requirement will be changed to one year following the termination of a pregnancy.

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B) Statutory Authority: Hospital Licensing Act [210 ILCS 85] and Illinois Health Statistics Act [410 ILCS 520]

C) Scheduled meeting/hearing dates: The Hospital Licensing Board will review a final draft of the amendments.

D) Date agency anticipates First Notice: September 2001

E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed changes will affect the reporting requirements of health care facilities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

c) Parts (Heading and Code Citation):

Ambulatory Surgical Treatment Center Licensing Requirements (77 Ill. Adm. Code 205)
Post-surgical Recovery Care Center Demonstration Program Code (77 Ill. Adm. Code 210)
Illinois Home Health Agency Code (77 Ill. Adm. Code 245)
Hospital Licensing Requirements (77 Ill. Adm. Code 250)
Children's Respite Care Center Demonstration Program Code (77 Ill. Adm. Code 260)
Subacute Care Hospital Demonstration Program Code (77 Ill. Adm. Code 270)
Hospice Programs (77 Ill. Adm. Code 280)
Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)
Sheltered Care Facilities Code (77 Ill. Adm. Code 330)
Illinois Veterans' Homes Code (77 Ill. Adm. Code 340)
Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350)
Community Living Facilities Code (77 Ill. Adm. Code 370)
Supportive Residences Code (77 Ill. Adm. Code 385)
Long-Term Care for Under Age 22 Facilities Code (77 Ill. Adm. Code 390)
Freestanding Emergency Center Demonstration Program Code (77 Ill. Adm. Code 518)

1) Rulemaking:

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A) Description: These related rulemakings will be proposed to require a facility to contact the Illinois Department of Professional Regulation prior to employing any individual in a position that requires a professional license to verify that the license is authorized and in good standing. A copy of the license will be placed in the individual's personnel file. Certain rules will also be amended to require the facility to check the status of all job applicants with the Nurse Aide Registry prior to hiring. Facilities are prohibited from hiring any individual who has a finding of abuse, neglect or misappropriation of property on the Nurse Aide Registry.

B) Statutory Authority: Alternative Health Care Delivery Act [210 ILCS 3]; Ambulatory Surgical Treatment Center Licensing Act [210 ILCS 5]; Community Living Facilities Act [210 ILCS 35]; Nursing Home Care Act [210 ILCS 45]; Emergency Medical Services (EMS) Systems Act [210 ILCS 50]; Home Health Agency Licensing Act [210 ILCS 55]; Hospice Program Licensing Act [210 ILCS 60]; Supportive Residences Licensing Act [210 ILCS 65]; and Hospital Licensing Act [210 ILCS 85]

C) Scheduled meeting/hearing dates: These amendments will be reviewed respectively by the State Board of Health, the Hospital Licensing Board, the Home Health Advisory Committee, the State Emergency Medical Services Council, the Ambulatory Surgical Treatment Center Licensing Board, or the Long-Term Care Facility Advisory Board.

D) Date agency anticipates First Notice: October 2001

E) Effect on small business, small municipalities, or not-for-profit corporations: The rulemaking may affect the employment policies of health care facilities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 W. Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

d) Parts (Heading and Code Citation):

Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code

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- 300) Sheltered Care Facilities Code (77 Ill. Adm. Code 330)
 Illinois Veterans' Homes Code (77 Ill. Adm. Code 340)
 Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350)
 Long-Term Care for Under Age 22 Facilities Code (77 Ill. Adm. Code 390)

1) Rulemaking:

- A) Description: These rules will be amended to update requirements for medication policies and procedures; administration of medication; and labeling and storage of medications.
- B) Statutory Authority: Nursing Home Care Act [210 ILCS 45]
- C) Scheduled meeting/hearing dates: This amendment will be reviewed by the Long-Term Care Facility Advisory Board.
- D) Date agency anticipates First Notice: December 2001
- E) Effect on small business, small municipalities, or not-for-profit corporations: The rulemaking may affect the policies of health care facilities.
- F) Agency contact person for information:

Paul Thompson
 Department of Public Health
 Division of Legal Services
 535 W. Jefferson, 5th Floor
 Springfield, Illinois 62761
 217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

- e) Parts (Heading and Code Citation):
 Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)
 Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350)
 Long-Term Care for Under Age 22 Facilities Code (77 Ill. Adm. Code 390)

1) Rulemaking:

- A) Description: These rules will be amended to change references to medical records personnel to titles that are currently used in the profession. The Part 300 rules will also be amended to

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require that the Director of Nursing Services in an intermediate care facility be a registered nurse.

- B) Statutory Authority: Nursing Home Care Act [210 ILCS 45]
- C) Scheduled meeting/hearing dates: This amendment will be reviewed by the Long-Term Care Facility Advisory Board.
- D) Date agency anticipates First Notice: July 2001

- E) Effect on small business, small municipalities, or not-for-profit corporations: The rulemaking may affect the policies of health care facilities.

F) Agency contact person for information:

Paul Thompson
 Department of Public Health
 Division of Legal Services
 535 W. Jefferson, 5th Floor
 Springfield, Illinois 62761
 217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

- f) Parts (Heading and Code Citation): Long-Term Care for Under Age 22 Facilities Code (77 Ill. Adm. Code 390)

1) Rulemaking:

- A) Description: These rules will be amended to update requirements for dietary services and activities programs, including staffing requirements and staff training and experience; meal planning and diet orders; infant and therapeutic diets and formula preparation; menus and food records; food handling sanitation; activity program planning; types of activities; and requirements for volunteer programs.

- B) Statutory Authority: Nursing Home Care Act [210 ILCS 45]
- C) Scheduled meeting/hearing dates: This amendment will be reviewed by the Long-Term Care Facility Advisory Board.

- D) Date agency anticipates First Notice: December 2001

- E) Effect on small business, small municipalities, or not-for-profit corporations: The rulemaking may affect the policies of health

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care facilities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 W. Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

g) Parts (Heading and Code Citation): Illinois Vital Records Code (77 Ill. Adm. Code 500)

1) Rulemaking:

A) Description: The rulemaking will propose provisions to enable grants from the Death Certificate Surcharge Fund and to update forms.

B) Statutory Authority: Vital Records Act [410 ILCS 535]

C) Scheduled meeting/hearing dates: The State Board of Health will consider this rulemaking.

D) Date agency anticipates First Notice: January 2002

E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed changes should have no effect on these entities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

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h) Parts (Heading and Code Citation): Emergency Medical Services and Trauma Center Code (77 Ill. Adm. Code 515)

1) Rulemaking:

A) Description: These rules will be amended to include requirements for recognition of emergency departments with pediatric (age 16 and younger) capabilities. The amendments will include staffing requirements for physicians, mid-level providers, and nurses; requirements for policies and procedures; requirements for quality improvement; and requirements for equipment and supplies.

B) Statutory Authority: Emergency Medical Services (EMS) Systems Act [210 ILCS 50]

C) Scheduled meeting/hearing dates: Draft amendments will be reviewed by the State Emergency Medical Services Advisory Council.

D) Date agency anticipates First Notice: September 2001

E) Effect on small business, small municipalities, or not-for-profit corporations: The rulemaking may affect the policies of health care facilities.

) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

i) Parts (Heading and Code Citation): Newborn Metabolic Screening and Treatment Code (77 Ill. Adm. Code 661)

1) Rulemaking:

A) Description: The rulemaking will describe additional testing procedures.

B) Statutory Authority: Phenylketonuria Testing Act [410 ILCS 240]

C) Scheduled meeting/hearing dates: Amendment will be reviewed by

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the State Board of Health.

- D) Date agency anticipates First Notice: October 2002
- E) Effect on small business, small municipalities, or not-for-profit corporations: It is anticipated that the proposed change will have no effect on small businesses, municipalities, or nonprofit corporations.
- F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

- j) Parts (Heading and Code Citation): Control of Sexually Transmissible Diseases (77 Ill. Adm. Code 693)

1) Rulemaking:

- A) Description: The rulemaking will propose provisions to make technical changes to update the Code.

- B) Statutory Authority: Illinois Sexually Transmissible Disease Control Act [410 ILCS 325] and Sections 2 and 6 of the Department of Public Health Act [20 ILCS 2305/2 and 6]

- C) Scheduled meeting/hearing dates: The State Board of Health will consider this rulemaking.

- D) Date agency anticipates First Notice: January 2002

- E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed changes should have no effect on these entities.

- F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor

DEPARTMENT OF PUBLIC HEALTH

Springfield, Illinois 62761
217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

- k) Parts (Heading and Code Citation): Grade A Pasteurized Milk and Milk Products Act (77 Ill. Adm. Code 775)

1) Rulemaking:

- A) Description: This rulemaking will update references to several documents that are incorporated by reference in the Grade A Pasteurized Milk and Milk Products rules. Documents that are being updated include the Grade A Pasteurized Milk Ordinance (PMO), the Grade A Condensed and Dry Milk Ordinance(DMO), Evaluation of Milk Laboratories(EML), Methods of Making Sanitation Ratings of Milk Supplies(MMSR), and Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration(FDA) Program for Certification of Interstate Milk Shippers, all published by the FDA. References to other documents will be updated to reflect the most current editions.

- B) Statutory Authority: Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635]

- C) Scheduled meeting/hearing dates: The rulemaking will be heard by the State Board of Health.

- D) Date agency anticipates First Notice: December 2001

- E) Effect on small business, small municipalities, or not-for-profit corporations: The rulemaking should have a minimum impact on these entities.

- F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

DEPARTMENT OF PUBLIC HEALTH

- 1) Parts (Heading and Code Citation): Lead Poisoning Prevention Code (77 Ill. Adm. Code 845)

1) Rulemaking:

A) Description: This rulemaking involves a number of revisions to the lead poisoning prevention rules. Proposed changes include:

- 1) clarifying existing definitions applicable to lead activities;
- 2) eliminating redundancies of referenced incorporated federal regulations;
- 3) clarifying the work practices to be used by the Department or delegate agency for conducting investigations of regulated facilities that have been associated with a child with an elevated blood lead level;
- 4) establishing minimum work practices for lead investigations to be utilized by the regulated industry for conducting lead investigations in regulated facilities that are not associated with a child identified with an elevated blood lead level;
- 5) clarifying and expanding the minimum requirements for training course providers to receive Department approval to offer certified lead training for professionals seeking lead certification and licensing in Illinois;
- 6) clarifying the work practices to be prescribed by the Department or delegate agency for persons conducting lead mitigation or abatement of identified lead hazards in response to an investigation of regulated facilities associated with a child with an elevated blood lead level;
- 7) establishing minimum work practices for lead mitigation and abatement to be utilized by the regulated industry for conducting lead mitigation and abatement in regulated facilities that are not associated with a child identified with an elevated blood lead level;
- 8) clarifying existing requirements for licensed lead contractors to establish safe, effective and appropriate mitigation and abatement control plans to protect occupants of regulated facilities from lead hazards that may occur as a result of disturbed lead or generated as part of their lead work;
- 9) establishing record keeping requirements for licensed lead professionals and contractors;
- 10) clarifies the existing requirement for a licensed lead supervisor to oversee, manage and direct activities on lead mitigation and abatement projects;
- 11) clarifying existing requirements and standards for identification of lead, lead bearing substances and lead hazards to be consistent with federal requirements;
- 12) establishing new regulations to be applied for fines and penalties applicable to licensed lead professionals, lead contractors and approved lead training course providers for violations of the Act or Code; and
- 13) establishing standards for administrative hearings.

B) Statutory Authority: Illinois Lead Poisoning Prevention Act (410 ILCS 45)

C) Scheduled meeting/hearing dates: The rulemaking will be heard by

DEPARTMENT OF PUBLIC HEALTH

the State Board of Health. A public hearing will be scheduled during the first notice period of this rulemaking.

D) Date agency anticipates First Notice: December 2001

E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed rulemaking will require manufacturers to have each unit inspected by an independent inspection agency.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

m) Parts (Heading and Code Citation): Private Sewage Disposal Code (77 Ill Adm Code 905)

1) Rulemaking:

A) Description: Amendments will include approval of several new types of private sewage disposal systems for installation, adoption of new technology and practices and provision of necessary clarification of the Private Sewage Disposal Code.

B) Statutory Authority: Illinois Private Sewage Disposal Licensing Act (225 ILCS 225)

C) Scheduled meeting/hearing dates: The public hearing will be scheduled during the first notice period for this rulemaking.

D) Date agency anticipates First Notice: January 2002

E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed changes should have a minimal effect on these entities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services

DEPARTMENT OF PUBLIC HEALTH

535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

n) Parts (Heading and Code Citation): Spinal Cord Injury Cure Grants

1) Rulemaking:

- A) Description: The rulemaking will propose provisions to provide grants to entities to conduct research for cures for spinal cord injuries.

B) Statutory Authority: State Finance Act [30 ILCS 105]

- C) Scheduled meeting/hearing dates: The State Board of Health will consider this rulemaking.

D) Date agency anticipates First Notice: January 2002

- E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed changes should have no effect on these entities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

o) Parts (Heading and Code Citation): Post Transplantation Assistance

1) Rulemaking:

- A) Description: The rulemaking will propose provisions to provide assistance for eligible transplant recipients in maintaining and retaining the transplant.

DEPARTMENT OF PUBLIC HEALTH

- B) Statutory Authority: Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois [20 ILCS 2310/2310]

- C) Scheduled meeting/hearing dates: The State Board of Health will consider this rulemaking.

D) Date agency anticipates First Notice: January 2002

- E) Effect on small business, small municipalities, or not-for-profit corporations: The proposed changes should have no effect on these entities.

F) Agency contact person for information:

Paul Thompson
Department of Public Health
Division of Legal Services
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217/782-2043

- G) Related rulemakings and other pertinent information: No other related rulemakings or other pertinent information is available at this time.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706
Email: jcar@legis.state.il.us
Phone: 217/785-2254*

RULEMAKINGS CURRENTLY BEFORE JCAR

PROPOSED RULEMAKINGS

Banks and Real Estate

1. Auction License Act (68 Ill Adm Code 1440)
-First Notice Published: 25 Ill Reg 6564 - 5/25/01
-Expiration of Second Notice: 9/1/01

Capital Development Board

2. Prequalification and Bidder Responsibility (44 Ill Adm Code 950)
-First Notice Published: 25 Ill Reg 6773 - 6/1/01
-Expiration of Second Notice: 9/1/01

3. Prequalification of Architects and Engineers (44 Ill Adm Code 980)
-First Notice Published: 25 Ill Reg 6790 - 6/1/01
-Expiration of Second Notice: 9/1/01

4. Selection of Architects/Engineers (A/E) (44 Ill Adm Code 1000)
-First Notice Published: 25 Ill Reg 6806 - 6/1/01
-Expiration of Second Notice: 9/1/01

Central Management Services

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

5. Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment (74 Ill Adm Code 900)
-First Notice Published: 25 Ill Reg 5686 - 4/27/01
-Expiration of Second Notice: 8/29/01

Children and Family Services

6. Reports of Child Abuse and Neglect (89 Ill Adm Code 300)
-First Notice Published: 25 Ill Reg 3069 - 3/2/01
-Expiration of Second Notice: 8/8/01

Commerce Commission

7. Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities (83 Ill Adm Code 590)
-First Notice Published: 25 Ill Reg 5141 - 4/13/01
-Expiration of Second Notice: 8/22/01

Comptroller

8. Purchasing Card Program (44 Ill Adm Code 1130)
-First Notice Published: 24 Ill Reg 18936 - 12/29/00
-Expiration of Second Notice: 8/8/01

9. Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment (74 Ill Adm Code 330)
-First Notice Published: 25 Ill Reg 5690 - 4/27/01
-Expiration of Second Notice: 8/9/01

Criminal Justice Information Authority

10. Protection of Human Subjects in Research Conducted by the Authority (20 Ill Adm Code 1580)
-First Notice Published: 25 Ill Reg 5796 - 5/4/01
-Expiration of Second Notice: 8/23/01

Human Services

11. Food Stamps (89 Ill Adm Code 121)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

- First Notice Published: 25 Ill Reg 5559 - 4/20/01
- Expiration of Second Notice: 8/16/01

Insurance

12. Minimum Benefit Standards for Diabetes Coverage (50 Ill Adm Code 2019)
 - First Notice Published: 25 Ill Reg 4105 - 3/23/01
 - Expiration of Second Notice: 9/2/01

13. Managed Care Dental Plans (50 Ill Adm Code 5425)

- First Notice Published: 25 Ill Reg 2654 - 2/16/01
- Expiration of Second Notice: 9/2/01

Natural Resources

14. White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill Adm Code 670)
 - First Notice Published: 25 Ill Reg 6103 - 5/11/01
 - Expiration of Second Notice: 8/22/01

15. The Taking of Wild Turkeys - Fall Gun Season (17 Ill Adm Code 715)
 - First Notice Published: 25 Ill Reg 5835 - 5/4/01
 - Expiration of Second Notice: 8/22/01

16. The Taking of Wild Turkeys - Fall Archery Season (17 Ill Adm Code 720)
 - First Notice Published: 25 Ill Reg 5823 - 5/4/01
 - Expiration of Second Notice: 8/22/01

17. Dove Hunting (17 Ill Adm Code 730)
 - First Notice Published: 25 Ill Reg 6028 - 5/11/01
 - Expiration of Second Notice: 8/22/01

18. Crow, Woodcock, Snipe, Rail and Teal Hunting (17 Ill Adm Code 740)
 - First Notice Published: 25 Ill Reg 5813 - 5/4/01
 - Expiration of Second Notice: 8/22/01

19. Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)
 - First Notice Published: 25 Ill Reg 6041 - 5/11/01
 - Expiration of Second Notice: 8/22/01

20. Consignment of Licenses, Stamps and Permits (17 Ill Adm Code 2520)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

- First Notice Published: 25 Ill Reg 6024 - 5/11/01
- Expiration of Second Notice: 8/22/01

Procurement Policy Board

21. General Policies (2 Ill Adm Code 3002)
 - First Notice Published: 25 Ill Reg 5597 - 4/20/01
 - Expiration of Second Notice: 8/15/01

Professional Regulation

22. Acupuncture Practice Act (68 Ill Adm Code 1140)
 - First Notice Published: 25 Ill Reg 6827 - 6/1/01
 - Expiration of Second Notice: 9/2/01

23. Mail Order Contact Lens Act (68 Ill Adm Code 1215)
 - First Notice Published: 24 Ill Reg 13188 - 9/1/00
 - Expiration of Second Notice: 8/11/01

24. Illinois Dental Practice Act (68 Ill Adm Code 1220)
 - First Notice Published: 25 Ill Reg 6835 - 6/1/01
 - Expiration of Second Notice: 9/2/01

Public Aid

25. Medical Payment (89 Ill Adm Code 140)
 - First Notice Published: 25 Ill Reg 5600 - 4/20/01
 - Expiration of Second Notice: 8/9/01

Public Health

26. Distribution of Medical Student Scholarship Payback Funds (77 Ill Adm Code 594)
 - First Notice Published: 25 Ill Reg 6623 - 5/25/01
 - Expiration of Second Notice: 8/26/01

27. Grade A Pasteurized Milk and Milk Products (77 Ill Adm Code 775)
 - First Notice Published: 24 Ill Reg 14383 - 9/29/00
 - Expiration of Second Notice: 8/31/01

28. Manufactured Dairy Products (77 Ill Adm Code 785)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

-First Notice Published: 25 Ill Reg 5876 - 5/4/01
-Expiration of Second Notice: 9/2/01

29. Health Care Professional Credentials Data Collection Code (77 Ill Adm Code 965)
-First Notice Published: 24 Ill Reg 13194 - 9/1/00
-Expiration of Second Notice: 9/8/01

Revenue

30. Retailers' Occupation Tax (80 Ill Adm Code 130)
-First Notice Published: 25 Ill Reg 6108 - 5/11/01
-Expiration of Second Notice: 8/29/01
31. Retailers' Occupation Tax (86 Ill Adm Code 130)
-First Notice Published: 25 Ill Reg 6446 - 5/18/01
-Expiration of Second Notice Period: 8/29/01

32. Retailers' Occupation Tax (86 Ill Adm Code 130)
-First Notice Published: 25 Ill Reg 6645 - 5/25/01
-Expiration of Second Notice: 8/31/01

33. Use Tax (86 Ill Adm Code 150)
-First Notice Published: 25 Ill Reg 6122 - 5/11/01
-Expiration of Second Notice: 8/29/01

State Fire Marshal

34. Fire Prevention and Safety (41 Ill Adm Code 100)
-First Notice Published: 25 Ill Reg 3776 - 3/16/01
-Expiration of Second Notice: 9/9/01

State Police Merit Board

35. Procedures of the Department of State Police Merit Board (80 Ill Adm Code 150)
-First Notice Published: 25 Ill Reg 6130 - 5/11/01
-Expiration of Second Notice: 8/10/01

Transportation

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

36. Financing of Traffic Control Signal Installation, Modernization, Maintenance, and Operation on Streets and Highways Under State Jurisdiction (92 Ill Adm Code 544)

-First Notice Published: 25 Ill Reg 6461 - 5/18/01
-Expiration of Second Notice: 8/29/01

EMERGENCY AND PEREMPTORY RULEMAKINGSCENTRAL MANAGEMENT SERVICES

37. Pay Plan (89 Ill Adm Code 310) (Emergency)
-Notice Published: 25 Ill Reg 9336 - 7/20/01

Commerce and Community Affairs

38. Regional Tourism Development Organization Program (14 Ill Adm Code 515) (Emergency)
-Notice Published: 25 Ill Reg 9644 - 7/27/01

39. Local Tourism and Convention Bureau Program (14 Ill Adm Code 550) (Emergency)
-Notice Published: 25 Ill Reg 9629 - 7/27/01

Education

40. Certification (23 Ill Adm Code 25) (Emergency)
-Notice Published: 25 Ill Reg 9360 - 7/20/01

Human Services

41. Child Care (89 Ill Adm Code 50) (Emergency)
-Notice Published: 25 Ill Reg 8443 - 7/6/01

Public Aid

42. Medical Payment (89 Ill Adm Code 140) (Emergency)
-Notice Published: 25 Ill Reg 8850 - 7/13/01

43. Long Term Care Reimbursement Changes (89 Ill Adm Code 153) (Emergency)
-Notice Published: 25 Ill Reg 8867 - 7/13/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

Revenue

44. Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act (86 Ill Adm Code 530) (Emergency)
-Notice Published: 25 Ill Reg 8449 - 7/6/01

Secretary of State

45. General Rules, Definitions (92 Ill Adm Code 1000) (Emergency)
-Notice Published: 25 Ill Reg 9376 - 7/20/01

EXEMPT RULEMAKINGSPollution Control Board

46. Hazardous Waste Injection Restrictions (35 Ill Adm Code 738)
-Proposed Date: 25 Ill Reg 3415 - 3/9/01
-Adopted Date: 7/20/01
47. Hazardous Waste Management System: General (35 Ill Adm Code 720)
-Proposed Date: 25 Ill Reg 3421 - 3/9/01
-Adopted Date: 7/20/01
48. Identification and Listing of Hazardous Waste (35 Ill Adm Code 721)
-Proposed Date: 25 Ill Reg 3434 - 3/9/01
-Adopted Date: 7/20/01
49. Land Disposal Restrictions (35 Ill Adm Code 728)
-Proposed Date: 25 Ill Reg 3487 - 3/9/01
-Adopted Date: 7/20/01
50. RCRA Permit Program (35 Ill Adm Code 703)
-Proposed Date: 25 Ill Reg 3619 - 3/9/01
-Adopted Date: 7/20/01

AGENCY RESPONSESHuman Services

51. Partner Abuse Intervention (89 Ill Adm Code 501; 24 Ill Reg 17436)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
AUGUST 7, 2001

Public Aid

52. Medical Payment (89 Ill Adm Code 140; 24 Ill Reg 18999)

Revenue

53. Retailers' Occupation Tax (86 Ill Adm Code 130; 24 Ill Reg 7617)

State Police

54. Emission Inspection Training and Certification (20 Ill Adm Code 1293; 25 Ill Reg 4045)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 17, 2001 through July 23, 2001 and have been scheduled for review by the Committee at its August 7, 2001 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

| Second Notice Expires | Agency and Rule | Start Of First Notice | JCAR Meeting |
|-----------------------|---|--------------------------------|--------------|
| 8/31/01 | Department of Revenue, Retailers' Occupation Tax (86 Ill Adm Code 130) | 5/25/01 25 Ill Reg 6645 | 8/7/01 |
| 8/31/01 | Department of Public Health, Grade A Pasteurized Milk and Milk Products (77 Ill Adm Code 775) | 9/29/00 24 Ill Reg 14384 | 8/7/01 |
| 9/1/01 | Office of Banks and Real Estate, Auction License Act (68 Ill Adm Code 1440) | 5/25/01 25 Ill Reg 6564 | 8/7/01 |
| 9/1/01 | Capital Development Board, Prequalification and Bidder Responsibility (44 Ill Adm Code 950) | 6/1/01 25 Ill Reg 6773 | 8/7/01 |
| 9/1/01 | Capital Development Board, Prequalification of Architects and Engineers (44 Ill Adm Code 980) | 6/1/01 25 Ill Reg 6790 | 8/7/01 |
| 9/1/01 | Capital Development Board, Selection of Architects/Engineers (A/E) (44 Ill Adm Code 1000) | 6/1/01 25 Ill Reg 6806 | 8/7/01 |
| 9/2/01 | Department of Professional Regulation, Acupuncture Practice Act (68 Ill Adm Code 1140) | 6/1/01 25 Ill Reg 6827 | 8/7/01 |
| 9/2/01 | Department of Professional Regulation, Illinois Dental Practice Act (68 Ill Adm Code 1220) | 6/1/01 25 Ill Reg 6835 | 8/7/01 |

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

| 9/2/01 | Department of Insurance, Managed Care Dental Plans (50 Ill Adm Code 5425) | 2/16/01 25 Ill Reg 2654 | 8/7/01 |
|--------|---|-------------------------------|--------|
| 9/2/01 | Department of Insurance, Minimum Benefit Standards for Diabetes Coverage (50 Ill Adm Code 2019) | 3/23/01 25 Ill Reg 4105 | 8/7/01 |
| 9/2/01 | Department of Public Health, Manufactured Dairy Products (77 Ill Adm Code 785) | 5/4/01 25 Ill Reg 5876 | 8/7/01 |

PROCLAMATIONS

2001-396

ELLEN FELDHAUSEN DAY

WHEREAS, Ellen Louise Feldhausen has dedicated her life to keeping the public informed on matters related to public policy and political events and has earned a reputation for accuracy, honesty, responsiveness and the ability to explain complex issues in simple understandable terms; and

WHEREAS, Ellen Louise Feldhausen developed her skills at Kansas State University, receiving a Bachelor of Arts, and at the American University in Washington, receiving a Master of Arts in Journalism; and

WHEREAS, Ellen Louise Feldhausen worked as a reporter, anchorwoman, producer, managing editor, and broadcaster for local news, public affairs, and Statehouse broadcasting in Kansas, Missouri and Illinois; and

WHEREAS, Ellen Louise Feldhausen joined State service in 1981, eventually becoming the Director of Communications for the Office of the Secretary of State; and

WHEREAS, Ellen Louise Feldhausen joined the Bureau of the Budget on February 1, 1991, and has since graced the Statehouse and Bureau with her presence, setting unmatchable standards for integrity, hard work, patience and discipline in the production and negotiation of 11 budgets while handling countless press calls, constituency requests, and responses to federal, State and local officials; and

WHEREAS, Ellen Louise Feldhausen has accepted a position with the Illinois Department of Public Aid and will apply her considerable skills, legendary work ethic and charming sense of humor as Director of Communications;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim July 9, 2001, as ELLEN FELDHAUSEN DAY in Illinois

Issued by the Governor July 3, 2001.

Filed by the Secretary of State July 12, 2001.

2001-397

PERU DAY

WHEREAS, the Peruvian community celebrates July 28 in recognition of the Proclamation of Independence by Don Jose de San Martin, an important event in their culmination for independence; and

WHEREAS, it is further recognition as the Day of Independence of the Country of Peru and the holiday of Peruvian nationals throughout the world; and

WHEREAS, Peruvians and Peruvian-Americans make significant contributions to the strength, diversity, and prosperity of Illinois, as friendly relations exist between Peru and Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim July 28, 2001, as PERU DAY in Illinois

Issued by the Governor July 3, 2001.

Filed by the Secretary of State July 12, 2001.

2001-398

BATTEN DISEASE AWARENESS WEEK

WHEREAS, Batten Disease is an inherited, degenerative, neurological

disease which may effect a person of any age, but primarily strikes infants, toddlers and school-age children; and

WHEREAS, Batten Disease is rarely diagnosed immediately and is often mistaken for epilepsy, mental retardation, retinitis pigmentosa, even schizophrenia in adults; and

WHEREAS, there is no known cure for Batten Disease but there are recent medical breakthroughs; and

WHEREAS, the Batten Disease Support and Research Association (BDSRA) was created to provide information, medical referrals and support along with furthering the efforts of research to find a viable treatment and eventual cure; and

WHEREAS, BDSRA is the primary organization supporting families affected by this disease in the United States, Canada and other regions of the world; and

WHEREAS, the BDSRA is hosting the Thirteenth Annual International Family Conference in Oak Brook, Illinois, to inform and educate the general public, the medical community, and individuals with Batten Disease and their families; and

WHEREAS increased understanding and awareness of Batten Disease will ensure hope of a better future for people affected, as well as provide a stimulus for increased research to identify a cure;

THEREFORE, I George H. Ryan, Governor of the State of Illinois, proclaim July 23-29, 2001, as BATTEN DISEASE AWARENESS WEEK.

Issued by the Governor July 10, 2001.

Filed by the Secretary of State July 12, 2001.

2001-399

BE REAL RED RIBBON WEEK OCT. 20-28, 2001
AND BE REAL DAY IN ILLINOIS OCT. 22, 2001

WHEREAS, children face decisions about using alcohol, tobacco, and other drugs as early as their elementary school years; and

WHEREAS, it is critical to reach adolescents between the ages of 10 and 14 with anti-drug messages and encouragement to remain drug-free; and

WHEREAS, research shows that this age group wants positive reinforcement for their decisions to avoid drugs; and

WHEREAS, parents, teachers and community leaders play an important role in keeping youth real to themselves and drug-free; and

WHEREAS, Illinois' Futures for Kids program has developed the innovative Be Real campaign to capture the attention of 10-14-year-olds and help them believe that it is cool to be drug-free; and

WHEREAS, Be Real is the theme of the 2001 Illinois Red Ribbon Campaign, sponsored by the Illinois Drug Education Alliance (IDEA);

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 20-28, 2001, as Be Real Red Ribbon Week, and October 22, 2001 as Be Real Day in Illinois, and urge all citizens to do what they can to help our youth "be real" and drug-free.

Issued by the Governor July 10, 2001.

Filed by the Secretary of State July 12, 2001.

2001-400

CENTENNIAL CELEBRATION OF THE CITY OF ZION

WHEREAS, the unique history of the City of Zion as one of the most representative religious utopias and planned industrial communities established in the Twentieth Century affords the City an interesting heritage with the necessary prerequisites for historic preservation; and

WHEREAS, the City of Zion was founded in 1900 by Dr. John Alexander Dowie, who was for several years prior a minister in Melbourne, Australia; and

WHEREAS, the City of Zion was established by Dowie as a city for God's people and religious industrial community, located seven miles north of Waukegan on the shore of Lake Michigan; and

WHEREAS, according to Judge V.V. Barnes in his book *History of Lake County*, the original plan for the structure of the City of Zion was the first equal Ellicott and L'Enfant's design of Washington D.C.; and

WHEREAS, the unique history of Zion, its religious background and the continuing presence of the Christian Catholic Church, the recent plans and development of the city, the number of existing original buildings, the public awareness of the history of the city and the institution of the Zion historical society all lend credibility to the idea of preserving the historical areas of the City of Zion;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 25 as the CENTENNIAL CELEBRATION OF THE CITY OF ZION in Illinois.

Issued by the Governor July 10, 2001.

Filed by the Secretary of State July 12, 2001.

2001-401

DAY FOR THE CENTENNIAL CELEBRATION OF THE VILLAGE OF WINTHROP HARBOR

WHEREAS, this area was settled by early settlers in search of farmlands, primarily from the Eastern United States and Western Europe; and

WHEREAS, these settlers came to Illinois in order to escape difficult situations, such as financial panic and decline in agriculture, naming the area Spring Bluff; and

WHEREAS, the name for the village was changed in 1894 to Winthrop Harbor, derived from the Winthrop Harbor & Dock Company that purchased 2,700 acres of land platted the area for development; and

WHEREAS, in 1899 Simpson Manufacturing Company was established as the first industry in the community, producing all types of brick forming and handling machinery on the North side of Main Street, east of the Northwestern tracks; and

WHEREAS, in 1902 the first Village Hall was constructed in Winthrop Harbor on Main Street between College and Kirkwood Avenues; and

WHEREAS, also at this time the Chicago, Waukegan and North Shore Electric Railroad received permission to operate within the Village, and maintained their presence in the community until 1963; and

WHEREAS, Carl Swanson, a resident of the area, flew the first airmail from Winthrop Harbor to Waukegan; and

WHEREAS, today the Village is a "bedroom" community of small businesses and residential homes, located between Chicago and Milwaukee; and

WHEREAS, the Village has continued to experience steady residential growth in recent years, which can be attributed to the lovely tree-lined streets, parks, bike trails and strict enforcement of zoning ordinances; and

WHEREAS, the Village of Winthrop Harbor has endured and survived a rich

history, and is the "cornerstone of Illinois";

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim July 15, 2001 as the DAY FOR THE CENTENNIAL CELEBRATION OF THE VILLAGE OF WINTHROP HARBOR in Illinois.

Issued by the Governor July 10, 2001.

Filed by the Secretary of State July 12, 2001.

2001-402

DRS. ROBERT AND VIRGINIA LEWIS DAY

WHEREAS, societal solidarity comes from individual understanding and tolerance among members of all races and cultures; and

WHEREAS, in a State that is fortunate to be diverse in population, all citizens of Illinois are indebted to the pioneers who fought to bring awareness to the forefront; and

WHEREAS, Dr. Robert E. Lewis, a Harvard graduate and son of a former slave, persevered in his dreams of a multi-racial educational system, defying prejudices and becoming the first African American male principal appointed in the Chicago public school system; and

WHEREAS, his wife of 62 years, Dr. Virginia Lewis, also helped to establish a more multi-cultural learning environment as principal of the Wendall Phillips High School Academy in Chicago;

WHEREAS, Dr. Robert Lewis' passing on May 7th, 2001 at the age of 98 deprives our State and nation of a great visionary and leader;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 30, 2001 as DRS. ROBERT AND VIRGINIA LEWIS DAY in Illinois.

Issued by the Governor July 10, 2001.

Filed by the Secretary of State July 12, 2001.

2001-403

SIGN LANGUAGE INTERPRETER AWARENESS MONTH

WHEREAS, there are about 986,648 deaf and hard-of-hearing people in Illinois; and

WHEREAS, statewide, interpreters provide hundreds of thousands of hours of interpreting service every year; and

WHEREAS, interpreting enables deaf, hard of hearing and hearing people to communicate effectively in a wide range of situations: hospitals, schools, businesses, government offices, courts, police departments, theaters, museums, parks and many other settings; and

WHEREAS, the need to create an awareness of the interpreting profession is imperative because the need for qualified interpreters exceeds the supply;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim August 2001, as SIGN LANGUAGE INTERPRETER AWARENESS MONTH in Illinois.

Issued by the Governor July 10, 2001.

Filed by the Secretary of State July 12, 2001.

2001-404

BREASTFEEDING PROMOTION MONTH

WHEREAS, breastfeeding plays an important role in protecting and promoting the health of infants as well as strengthening the bond between mother and

child; and

WHEREAS, physicians, dietitians, nurses, lactation consultants, public health officials and other health professionals recognize breastfeeding as the normal and preferred infant feeding method; and

WHEREAS, communities, employers, families, friends and health professionals are encouraged to support breastfeeding; and

WHEREAS, the federal government, through the "Healthy People 2010" program, has set a national goal to increase the number of breastfed babies to 75 percent by the year 2010; and

WHEREAS, during the month of August, the Illinois Department of Human Services, in conjunction with regional breastfeeding task forces, public and private organizations, physicians and hospital throughout Illinois, will be promoting the importance of breastfeeding;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim August 2001 as BREASTFEEDING PROMOTION MONTH in Illinois.

Issued by the Governor July 17, 2001.

Filed by the Secretary of State July 19, 2001.

2001-405

DOLORES A. CAMPAGNOLO DAY

WHEREAS, Dolores A. Campagnolo began her employment with the State of Illinois, Department of Financial Institutions, Consumer Credit Division, on September 27, 1982; and

WHEREAS, Dolores A. Campagnolo has provided professional, dedicated and loyal services to the people of the State of Illinois and to the Illinois Department of Financial Institutions; and

WHEREAS, the work ethic demonstrated by Dolores A. Campagnolo served as an example to all employees of the Illinois Department of Financial Institutions; and

WHEREAS, Dolores A. Campagnolo's hard work and conscientious efforts directly contributed to many of the Illinois Department of Financial Institution's successes;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim July 26, 2001, as DOLORES A. CAMPAGNOLO DAY in Illinois

Issued by the Governor July 17, 2001.

Filed by the Secretary of State July 19, 2001.

2001-406

MINORITY ENTERPRISE DEVELOPMENT WEEK

WHEREAS, Minority Enterprise Development Week is an annual celebration of the contributions and achievements made by minority businesses in Illinois and throughout the United States; and

WHEREAS, our State's growth and prosperity depend on the full participation of all Illinois citizens; and

WHEREAS, it is the policy in Illinois to promote and encourage the economic development of minority owned businesses; and

WHEREAS, for the past 19 years, this State has made great advances in increasing the participation of the minority community in State business; and

WHEREAS, on September 20, business and professional leaders from across the region will join together at the 19th Annual Minority Enterprise

Development Week awards ceremony to honor Chicago's outstanding minority business entrepreneurs throughout the State for 2001;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 17-21, 2001, as MINORITY ENTERPRISE DEVELOPMENT WEEK in Illinois.

Issued by the Governor July 17, 2001.

Filed by the Secretary of State July 19, 2001.

2001-407

JPMORGAN CHASE CORPORATE CHALLENGE DAY

WHEREAS, JPMorgan Chase will sponsor the JPMorgan Chase Corporate Challenge 25th Annual 5-Mile Run & Walk in Chicago on Thursday, August 9th, 2001; and

WHEREAS, the purpose of the Corporate Challenge is to promote goodwill within the corporate community while providing fitness opportunities in the corporate environment; and

WHEREAS, the Corporate Challenge is the largest corporate road race in the State of Illinois, with over 18,000 runners representing over 700 companies; and

WHEREAS, the Chase Corporate Challenge is a four-continent international series holding events in 15 different U.S. cities and internationally in London, England; Frankfurt, Germany; and Sydney, Australia, with over 200,000 participants from over 70,000 companies; and

WHEREAS, the Chicago event, consisting of 3.5 miles, starting at 7:00 p.m. for the White Start and 7:20 p.m. for the Yellow Start, will take place in the heart of downtown Chicago, beginning at the corners of Columbus and Balbo Drives and utilizing the roadways around Grant Park; and

WHEREAS, in addition to JPMorgan Chase, this international event is sponsored nationally by American Airlines, *Business Week*, *The New York Times*, Saucony, and Riffany & Co. and locally by the Hilton Chicago and Towers and Sparkling Spring Water;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim August 9, 2001, as JPMORGAN CHASE CORPORATE CHALLENGE DAY in Illinois.

Issued by the Governor July 18, 2001.

Filed by the Secretary of State July 19, 2001.

2001-408

MINORITY WOMEN'S NETWORK DAYS

WHEREAS, the Illinois Minority Women's Network is striving to provide high quality forums for employment and leadership activities to help individuals address regional and State issues; and

WHEREAS, Networking Together XXII, a Minority Women's Conference "For Women of the 21st Century: Knowledge is a Powerful Medicine," will be held August 2-4, 2001, in Chicago at the Hyatt-University Inn; and

WHEREAS, the issues of employment, personal and professional growth, health, diversity, family and other related matters will be explored at the conference; and

WHEREAS, the conference recognizes the significant role that minority women play in our society and the importance of their economic and personal development;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim

August 2-4, 2001, as MINORITY WOMEN'S NETWORK DAYS in Illinois.
Issued by the Governor July 18, 2001.
Filed by the Secretary of State July 19, 2001.

2001-409
100TH ANNIVERSARY OF THE GRAND TEMPLE DAUGHTERS
OF THE IMPROVED BENEVOLENT PROTECTIVE ORDER OF THE WORLD

WHEREAS, the Daughters of Elks was formed on June 13, 1902, to become affiliated with and work in harmony with all the brother Elks within the Grand Lodge; and

WHEREAS, the Daughters of Elks was formed by Mrs. Emma V. Kelly, an educator who taught in the rural schools of Virginia, who was inspired with a vision of enhancing and promoting growth and development of women during her era; and

WHEREAS, the Grand Lodge Brothers and the Grand Temple Daughters of Elks Subordinate Lodges and Temples are located throughout the territorial range of the United States of America, Canada, Panama, the Bahamas, Barbados, and the Virgin Islands; and

WHEREAS, under the exceptional dynamic leadership of Dr. Jean C.W. Smith, Daughter Ruler and Dr. Donald P. Wilson, Grand Exalted Ruler of the I.B.P.O.E. of W., the Elks have soared to over 350,000 members;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim August 8, 2001 as the 100th ANNIVERSARY OF THE GRAND TEMPLE DAUGHTERS OF THE IMPROVED BENEVOLENT PROTECTIVE ORDER OF THE WORLD in Illinois.

Issued by the Governor July 18, 2001.
Filed by the Secretary of State July 19, 2001.

